

59-14-609 Effective dates for reporting -- Disgorgement of profits -- Recovery of costs.

- (1) The first report of the stamping agents required by this part are due by June 15, 2005. The first certifications of the tobacco product manufacturers required by this part are due June 30, 2005. The directory required by this part shall be published by the commission no later than August 30, 2005.
- (2) In any action brought by the state to enforce this part, the state shall be entitled to recover the costs of investigation, expert witness fees, costs of the action, and reasonable attorney fees.
- (3)
 - (a) If a court determines that a person has violated this part, the court shall order any profits, gain, gross receipts, or other benefit from the violation to be disgorged and paid to the State Treasurer for deposit in the Tobacco Control Restricted Account which is created in Section 59-14-610.
 - (b) Unless otherwise expressly provided, the remedies or penalties provided by this part are cumulative to each other and to the remedies or penalties available under all other laws of this state.

Enacted by Chapter 204, 2005 General Session