



House of Representatives *State of Utah*

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February 24, 2004

Mr. Speaker:

The Business and Labor Committee reports a favorable recommendation on **H.B. 279**, COUNTERFEIT TOBACCO PRODUCTS, by Representative E. Hutchings, with the following amendments:

1. *Page 3, Lines 59 through 62:*

59 that ~~[[~~
60 ~~—(a)—]]~~ evidences payment of the tax on cigarettes required by Section
59-14-204 ~~[[~~or
61 ~~—(b)— indicates that the cigarettes are intended for a sale or distribution in Utah~~
that is
62 exempt from state tax under Subsection 59-14-204.5(1)]] .

2. *Page 9, Lines 266 through 268:*

266 (1) A person who ships unstamped cigarette packages into the state, other than to a
267 licensed manufacturer, importer, distributor, or retailer **who is authorized to affix**
stamps , shall first file with the commission a
268 notice of shipment.

3. *Page 10, Lines 287 through 289:*

287 (2) [[~~Notwithstanding~~]] **In addition to** any other provision of law, the sale
or possession for sale of
288 counterfeit cigarettes, as they are defined in Section 59-14-102, by a manufacturer,
importer,
289 distributor, or retailer shall result:

4. *Page 10, Lines 290 through 291:*

290 (a) in the seizure by the commission or law enforcement agency of the
[[~~manufacturer~~]] **manufacturer's** .

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291 importer's, distributor's, or retailer's:

5. *Page 11, Lines 326 through 327:*

326 (4) (a) The sale or possession for sale of counterfeit cigarettes by a manufacturer,
327 importer, distributor, or retailer is punishable **by a court of law** as follows:

Respectfully,

Katherine M. Bryson
Committee Chair

Voting: 12-0-1

3 HB0279.HC1.WPD 2/24/04 8:48 am msteinagel/MBS CJD/MDA

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