

H.B. 88

ELECTRONIC CIGARETTE RESTRICTIONS

Senator **Margaret Dayton** proposes the following amendments:

1. *Page 2, Lines 36 through 37:*

36 criminal penalties for violation of those prohibitions; and
37 ~~{→addresses advertising requirements relating to electronic cigarettes; and }~~

2. *Page 2, Line 54:*

54 ~~{76-10-112, as enacted by Laws of Utah 1989, Chapter 193 }~~

3. *Page 15, Line 450 through Page 16, Line 466:*

450 ~~{Section 10. Section 76-10-112 is amended to read:~~
451 ~~—— 76-10-112. Prohibition of distribution of electronic cigarettes, cigarettes, or other~~
452 ~~tobacco products -- Exceptions:~~
453 ~~—— (1) Except as provided in Subsection (2), it is unlawful for a manufacturer, wholesaler,~~
454 ~~or retailer to give or distribute electronic cigarettes, cigarettes, or other tobacco products in this~~
455 ~~state without charge. Any person who violates this subsection is guilty of a class C~~
456 ~~misdemeanor for the first offense and a class B misdemeanor for any subsequent offense:~~
457 ~~—— (2) [Cigarettes] Electronic cigarettes, cigarettes, and other tobacco products may be~~
458 ~~distributed to adults without charge at professional conventions where the general public is~~
459 ~~excluded.~~
460 ~~—— (3) The prohibition described in Subsection (1) does not apply to [retailers,~~
461 ~~manufacturers, or distributors who give cigarettes or other tobacco products to persons of legal~~
462 ~~age upon their purchase of cigarettes or other tobacco products.] a retailer, manufacturer, or~~
463 ~~distributor who gives electronic cigarettes, cigarettes, or other tobacco products to a person of~~
464 ~~legal age upon the person's purchase of an electronic cigarette, cigarettes, or another tobacco~~
465 ~~product. }~~
466 Section ~~{H}~~ 10 . Section ~~77-39-101~~ is amended to read: