

59-14-603 Directory of cigarettes approved for stamping and sale.

- (1) No later than August 30, 2005, the commission shall develop and publish on its website a directory listing:
 - (a) all tobacco product manufacturers that have provided current and accurate certifications conforming to the requirements of Section 59-14-602; and
 - (b) all brand families that are listed in the certifications required by Section 59-14-602, except the commission shall not include or retain in the directory:
 - (i) the name or brand families of any nonparticipating manufacturer:
 - (A) who failed to provide the certification required by Section 59-14-602; or
 - (B) whose certification is determined by the commission to be out of compliance with Section 59-14-602, unless the commission has determined that the violation has been cured to the satisfaction of the commission; or
 - (ii) a tobacco product manufacturer or brand family of a nonparticipating manufacturer for which the commission determines:
 - (A) any escrow payment required by Section 59-22-203 for any period, for any brand family, whether or not listed by the nonparticipating manufacturer, has not been fully paid into a qualified escrow fund governed by a qualified escrow agreement; or
 - (B) any outstanding final judgment, including interest thereon, for a violation of the Model Tobacco Settlement Act has not been fully satisfied for the brand family or the tobacco product manufacturer.
- (2) The commission shall update the directory required by this section as necessary:
 - (a) to correct mistakes;
 - (b) to add or remove a tobacco product manufacturer or brand family; and
 - (c) to keep the directory in conformity with the requirements of this part.
- (3)
 - (a) Every stamping agent shall provide to the commission a current and valid electronic mail address for the purpose of receiving notifications from the commission concerning information required by this section and this part.
 - (b) The stamping agent shall update the electronic mail address as necessary.
- (4) A determination by the commission to not include or to remove a brand family or tobacco product manufacturer from the directory required by this section is subject to review in the manner prescribed by Title 63G, Chapter 4, Administrative Procedures Act.

Amended by Chapter 382, 2008 General Session