

1 **CIGARETTE AMENDMENTS**

2 2012 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Wayne L. Niederhauser**

5 House Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill enacts provisions related to roll-your-own cigarettes.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ enacts reporting and other requirements related to certain roll-your-own cigarettes;
- 14 ▶ provides for the seizure and forfeiture of roll-your-own cigarette equipment under
- 15 certain circumstances; and
- 16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 This bill takes effect on July 1, 2012.

21 **Utah Code Sections Affected:**

22 ENACTS:

23 **59-14-216**, Utah Code Annotated 1953

25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **59-14-216** is enacted to read:

27 **59-14-216**. Definitions -- Roll-your-own cigarettes -- Reporting and other



28 **requirements.**

29 (1) As used in this section:

30 (a) "Roll-your-own cigarette equipment" means equipment that is intended for use by a
31 consumer to combine loose tobacco and a cigarette tube to produce a cigarette.

32 (b) "Roll-your-own cigarette service" means a person who:

33 (i) allows a person to use roll-your-own cigarette equipment to make a cigarette for the
34 personal consumption of the person using the roll-your-own cigarette equipment; and

35 (ii) receives payment for the use of the roll-your-own cigarette equipment.

36 (2) A roll-your-own cigarette service shall report monthly to the commission on a form
37 prescribed by the commission:

38 (a) the number of cigarette tubes the roll-your-own cigarette service uses in the
39 roll-your-own cigarette service's roll-your-own cigarette equipment; and

40 (b) the location of the roll-your-own cigarette equipment that is:

41 (i) owned by the roll-your-own cigarette service;

42 (ii) made available for use by a consumer; and

43 (iii) in the state.

44 (3) (a) A roll-your-own cigarette service may, by agreement with the manufacturer of
45 the roll-your-own cigarette equipment, assign to the manufacturer of the roll-your-own
46 cigarette equipment the responsibility for complying with the reporting requirements of this
47 section.

48 (b) An agreement under Subsection (3)(a) may not take effect until the agreement is
49 filed with the commission.

50 (4) (a) A person may not make roll-your-own cigarette equipment available to another
51 person unless the roll-your-own cigarette equipment is constructed and maintained to provide
52 an electronic count of the number of cigarette tubes used in the roll-your-own cigarette
53 equipment.

54 (b) If a person violates Subsection (4)(a), the person's roll-your-own cigarette
55 equipment that serves as the basis for the violation is subject to seizure and forfeiture in
56 accordance with Title 24, Chapter 1, Utah Uniform Forfeiture Procedures Act.

57 **Section 2. Effective date.**

58 This bill takes effect on July 1, 2012.

Legislative Review Note
as of 2-27-12 11:39 AM

Office of Legislative Research and General Counsel