



General Assembly

January Session, 2007

Raised Bill No. 7139

LCO No. 4307

04307 _____ GL_

Referred to Committee on General Law

Introduced by:

(GL)

**AN ACT INCREASING PENALTIES FOR THE SALE OF CIGARETTES
OR TOBACCO PRODUCTS TO MINORS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 12-295a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) If the Commissioner of Revenue Services finds, after a hearing,
4 that a minor has purchased cigarettes or tobacco products, said
5 commissioner shall assess such minor a civil penalty of not more than
6 [fifty] one hundred dollars for the first violation and not more than one
7 hundred fifty dollars for any second or subsequent offense.

8 (b) If said commissioner finds, after a hearing, that any person
9 employed by a dealer or distributor, as defined in section 12-285, has
10 sold, given or delivered cigarettes or tobacco products to a minor other
11 than a minor who is delivering or accepting delivery in his capacity as
12 an employee, said commissioner shall assess such person a civil
13 penalty of [one] two hundred dollars for the first violation and [one]
14 two hundred fifty dollars for a second or subsequent violation within
15 eighteen months.

16 (c) If said commissioner finds, after a hearing, that any dealer or
17 distributor has sold, given or delivered cigarettes or tobacco products
18 to a minor other than a minor who is delivering or accepting delivery
19 in his capacity as an employee, or such dealer or distributor's
20 employee has sold, given or delivered cigarettes or tobacco products to
21 such minor, said commissioner shall assess such dealer or distributor a
22 civil penalty of [two] three hundred [fifty] dollars for the first violation
23 and [five hundred] seven hundred fifty dollars for a second violation
24 within eighteen months. For a third violation within eighteen months,
25 such dealer or distributor shall be assessed a civil penalty of [five
26 hundred] seven hundred fifty dollars and any license held by such
27 dealer or distributor under this chapter shall be suspended for not less
28 than thirty days.

29 (d) If said commissioner finds, after a hearing, that any owner of an
30 establishment in which a cigarette vending machine or restricted
31 cigarette vending machine is located has sold, given or delivered
32 cigarettes or tobacco products from any such machine to a minor other
33 than a minor who is delivering or accepting delivery in his capacity as
34 an employee, or has allowed cigarettes or tobacco products to be sold,
35 given or delivered to such minor from any such machine, said
36 commissioner shall assess such dealer or distributor a civil penalty of
37 [two] five hundred [fifty] dollars for the first violation and [five] seven
38 hundred fifty dollars for a second violation within eighteen months.
39 For a third violation within eighteen months, such dealer or distributor
40 shall be assessed a civil penalty of [five] seven hundred fifty dollars
41 and any such machine shall be immediately removed from such
42 establishment and no such machine may be placed in such
43 establishment for a period of one year following such removal.

44 (e) Any person selling cigarettes or tobacco products shall
45 prominently display the applicable penalties under this section at the
46 point of sale of such cigarettes or tobacco products.

47 ~~[(e)]~~ (f) Any person aggrieved by any action of the commissioner

48 pursuant to this section may take any appeal of such action as
49 provided in sections 12-311 and 12-312.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	12-295a

Statement of Purpose:

To increase penalties concerning the sale of cigarettes or tobacco products to minors and to require such penalties to be prominently displayed where such cigarettes or tobacco products are sold.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]