



Senate

General Assembly

File No. 125

January Session, 2009

Senate Bill No. 907

Senate, March 19, 2009

The Committee on Public Safety and Security reported through SEN. STILLMAN of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT BANNING THE SALE OF NOVELTY LIGHTERS.

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

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) For the purposes of
2 this section, "novelty lighter" means a mechanical or electrical device
3 operated on a fuel such as butane or liquid fuel that is typically used
4 for lighting cigarettes, cigars or pipes and that (1) possesses audio or
5 visual effects, or (2) resembles in physical form or function articles
6 designed to appeal, or intended for the use of, children ten years of age
7 or younger. "Novelty lighter" includes, but is not limited to, lighters
8 that play musical notes or have flashing lights, or that resemble
9 cartoon characters, toys, guns, watches, musical instruments, vehicles,
10 toy animals, food or beverages.

11 (b) No person shall sell a novelty lighter in this state.

12 (c) The provisions of this section shall not apply to a novelty lighter
13 (1) made before January 1, 1980, or (2) incapable of being fueled or
14 lacking a device necessary to produce combustion or a flame.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	New section

PS *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Judicial Dept.	GF - Revenue Gain	Potential Minimal	Potential Minimal
Public Safety, Dept.	GF - See Below	See Below	See Below

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 10 \$	FY 11 \$
Various Municipalities	See Below	See Below	See Below

Explanation

The bill bans the sale of certain novelty lighters, but does not include a penalty provision. Under CGS 54-195, anyone convicted of a violation for which no penalty is expressly provided is subject to a \$100 fine. To the extent that the bill is enforced, this would result in a minimal¹ revenue gain for the state.

It is anticipated that enforcement by state and municipal police officers could be accommodated within the normal course of officers' duties and at no additional cost.

The Out Years

The annualized ongoing fiscal impact identified above would remain constant into the future as fines are set by statute and require legislative action to be altered.

¹ The Office of Fiscal Analysis defines any impact less than \$50,000 as "minimal."

OLR Bill Analysis**SB 907*****AN ACT BANNING THE SALE OF NOVELTY LIGHTERS.*****SUMMARY:**

This bill bans the sale of novelty lighters, except for those (1) made before January 1, 1980, (2) that cannot be fueled, or (3) that do not have a device necessary to produce a flame or combustion. The bill does not include a penalty provision but, under CGS § 54-195, anyone convicted of a violation for which no penalty is expressly provided is subject to a \$100 fine.

The bill defines a “novelty lighter” as a mechanical or electrical device operated on fuel typically used for lighting cigarettes, cigars, or pipes and (1) possessing audio or visual effects or (2) resembling in physical form or function articles designed to appeal to or intended to be used by children age 10 or younger. They include lighters that play musical notes, have flashing lights, or resemble cartoon characters, toys, guns, watches, musical instruments, vehicles, animals, food, or beverages.

EFFECTIVE DATE: October 1, 2009

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 21 Nay 1 (03/05/2009)