



Senate

General Assembly

File No. 239

February Session, 2012

Substitute Senate Bill No. 270

Senate, April 3, 2012

The Committee on General Law reported through SEN. DOYLE of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CONSUMER PROTECTION.

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

1 Section 1. (NEW) (*Effective from passage*) (a) Not later than January 1,
2 2013, the Commissioner of Consumer Protection, in consultation with
3 the Commissioner of Public Health, shall adopt regulations, in
4 accordance with the provisions of chapter 54 of the general statutes, to
5 identify certain tobacco-related substances, items and products that are
6 dangerous or potentially dangerous to the health and well being of
7 persons under eighteen years of age. Such regulations shall establish a
8 list of such substances, items and products, including, but not limited
9 to, rolling paper, smoking pipes, air-driven pipes, water pipes,
10 smoking tubes, smoking masks and bongs.

11 (b) No person shall sell any substance, item or product listed in the
12 regulations adopted pursuant to subsection (a) of this section to any
13 person under eighteen years of age.

14 (c) The Commissioner of Consumer Protection shall post the

15 regulations adopted pursuant to subsection (a) of this section on the
16 Department of Consumer Protection's Internet web site. Said
17 commissioner shall update such regulations annually.

18 (d) Any person who violates subsection (b) of this section shall be
19 guilty of a class B misdemeanor.

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

GL *Joint Favorable Subst.*

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 13 \$	FY 14 \$
Consumer Protection, Dept.	GF - Cost	Less than 1,000	Less than 1,000
Correction, Dept.	GF - Cost	Potential Minimal	Potential Minimal
Judicial Dept.	GF - Revenue Gain	Potential Minimal	Potential Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a cost to the Department of Consumer Protection (DCP) of \$1,000 as it requires the DCP to annually develop regulations concerning certain tobacco-related substances, items and products that are dangerous or potentially dangerous to the health and well being of persons under eighteen years of age. The costs are related to the holding of public hearings which includes the posting of notices and printing costs.

Violations for selling items in the regulations result in a class B misdemeanor. To the extent that offenders are prosecuted criminally and subsequently convicted or plead guilty, the state could incur a cost associated with incarceration and/or probation supervision in the community. On average, it costs the state \$3,736 to supervise an offender on probation in the community as compared to \$44,165 to incarcerate the offender.

A potential minimal revenue gain would accrue to the state due to any violations resulting in a fine. A class B misdemeanor carries a fine up to \$1,000.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the number of violations.

OLR Bill Analysis**sSB 270*****AN ACT CONCERNING CONSUMER PROTECTION.*****SUMMARY:**

This bill requires the Department of Consumer Protection (DCP) commissioner, by January 1, 2013, and in consultation with the public health commissioner, to adopt regulations to identify and list certain tobacco-related substances, items, and products that are dangerous or potentially dangerous to a minor's health and well being. The list of substances, items, and products in the regulations must include rolling paper, smoking pipes, air-driven pipes, water pipes, smoking tubes, smoking masks, and bong.

The bill prohibits selling items on the list to a minor and makes violators guilty of a class B misdemeanor, which is punishable by up to a \$1,000 fine, up to six months imprisonment, or both.

It also requires the DCP commissioner to (1) post the regulations on the DCP website and (2) annually update them.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 17 Nay 1 (03/20/2012)