
OLR Bill Analysis

sSB 185 (File 155, as amended by Senate "A")*

AN ACT CONCERNING COUNTERFEIT, NOVELTY AND UNSAFE LIGHTERS.

SUMMARY

This bill generally prohibits offering or selling a counterfeit or unsafe lighter in Connecticut. This includes providing them as a free sample to someone in the state, regardless of whether the person is offering or selling the lighter on a retail or wholesale basis, in person, or online.

The bill specifies that it does not prohibit the (1) interstate transportation of these lighters through the state or (2) storage of them in any Connecticut distribution center or warehouse that is closed to the public and does not distribute or sell at retail to the public.

The bill allows the State Fire Marshal, a local fire marshal that enforces the State Fire Prevention Code or Fire Safety Code, and any other person aggrieved by a violation to bring civil action in Superior Court to recover damages from the person who is alleged to have committed the violation.

*Senate Amendment "A" removes the underlying bill's prohibition on novelty lighters.

EFFECTIVE DATE: October 1, 2022

LIGHTERS

Under the bill, a "lighter" is any electrical or mechanical device that (1) operates using any type of fuel, including butane or another liquid fuel, and (2) is typically used to light a cigarette, cigar, or pipe.

A "counterfeit lighter," is a lighter that infringes on the intellectual property rights of a U.S. citizen or entity protected by federal or state intellectual property law.

An “unsafe lighter,” means (1) a disposable or refillable cigarette or pocket lighter that does not comply with American Society for Testing and Materials (ASTM) standards for lighters (F400-20) and (2) a grill or utility lighter that does not comply with ASTM standards for utility lighters (F2201-20).

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/15/2022)

Judiciary Committee

Joint Favorable

Yea 27 Nay 12 (04/11/2022)