

Regular Session, 2010

HOUSE BILL NO. 416

BY REPRESENTATIVE SAM JONES

SALES/TOBACCO TRADE: Provides with respect to tobacco products

1 AN ACT

2 To amend and reenact R.S. 26:903, 911(B)(3), 932(8), and 939(B), to enact R.S. 26:901(18),
3 and to repeal R.S. 26:909(E), relative to tobacco products; to provide for fees
4 applicable to wholesale tobacco dealers and wholesale tobacconists; to provide for
5 definitions; to provide for requirements of eligibility; to provide for prohibitions; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 26:903, 911(B)(3), 932(8), and 939(B) are hereby amended and
9 reenacted and R.S. 26:901(18) is hereby enacted to read as follows:

10 §901. Definitions

11 * * *

12 (18) "Wholesale tobacconist" means any bona fide tobacconist engaged in
13 receiving bulk smoking tobacco for the purpose of blending such tobacco for retail
14 sale at a particular retail outlet where fifty percent or more of the total purchases for
15 the preceding twelve months were purchases of tobacco products, excluding
16 cigarettes.

17 * * *

18 §903. Permit fees

19 The fees for each registration certification or permit shall be as follows:

20 ~~(1) Retail dealer registration certificate -- \$25.00 per year or any portion~~
21 ~~thereof.~~

22 ~~(2)~~ (1) Retail dealer permit -- \$75.00 per year or any portion thereof.

23 ~~(3)~~ (2) Vending machine operator -- \$75.00 per year or any portion thereof.

1 for retail sale at a particular retail outlet where fifty percent or more of the total
2 purchases for the preceding twelve months were purchases of tobacco products,
3 excluding cigarettes.

4 * * *

5 §939. Applicability

6 * * *

7 B. The provisions of this Chapter shall not apply to any tobacco wholesale
8 dealer or wholesale tobacconist.

9 Section 2. R.S. 26:909(E) is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Sam Jones

HB No. 416

Abstract: Provides for amendments to provisions regarding tobacconists and wholesale tobacco dealers.

Present law defines "tobacconist" and "tobacconist at a particular retail outlet".

Proposed law repeals the definition of "tobacconist at a particular retail outlet" and provides for a definition of "wholesale tobacconist".

Present law (R.S. 26:903) provides for a retail dealer registration certificate fee of \$25 per year.

Proposed law eliminates the retail dealer registration certificate fee contained in present law.

Present law provides that the permit fee for a wholesale tobacco dealer is \$75 per year or any portion of a year.

Proposed law changes the fee from \$75 to \$1,000.

Proposed law adds a fee of \$150 per year for a wholesale tobacconist permit.

Proposed law prohibits holders of wholesale tobacconist permits from purchasing tobacco products, except bulk smoking tobacco, from any dealer other than a properly permitted wholesale dealer.

Proposed law prohibits wholesale dealers from acting as wholesalers for resale purposes.

(Amends R.S. 26:903, 911(B)(3), 932(8), and 939(B); Adds R.S. 26:901(18); Repeals R.S. 26:909(E))