

SENATE BILL 544

By Bell

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 15 and Title 39, Chapter 17, relative to
smoking.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 15, is amended by adding the following language as a new, appropriately designated section:

39-17-15__.

(a) For the purpose of this section:

(1) "Counter" means the point of purchase at a retail establishment;

(2) "Retail establishment" means a place of business open to the general public for the sale of goods or services; and

(3) "Smoking paraphernalia" means any products designed for use with tobacco including, but not limited to, a cigarette holder, cigarette papers, smoking pipe, water pipe or other item that is designated primarily to hold smoking material while the smoking material is being smoked.

(b) Smoking paraphernalia shall be maintained behind-the-counter of a retail establishment in an area inaccessible to a customer or in a locked display case that makes the products unavailable to a customer without the assistance of an employee.

(c) A violation of this section is a Class A misdemeanor, punishable by fine only. If smoking paraphernalia is sold in violation of this section, the owner

or operator of the retail establishment selling the products shall be in violation of this section.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.