

Prince George's County Council Agenda Item Summary

Meeting Date:	10/26/2004
Reference No.:	CB-073-2004
Draft No.:	2
Proposer(s):	County Executive
Sponsor(s):	Knotts, Harrington, Dernoga, Dean, Exum, Peters, Bland
Item Title:	An Act prohibiting sales of unpackaged cigarettes

Drafter:	Kimberly Shearin-Cotton, Office of Law
Resource Personnel:	Frederick J. Corder. M.D., Health Officer

LEGISLATIVE HISTORY:

Date Presented:	7/27/2004	Executive Action:	11/5/2004 S
Committee Referral:	7/27/2004 - HEHS	Effective Date:	12/21/2004

Committee Action: 9/15/2004 - FAV

Date Introduced: 9/28/2004
Public Hearing: 10/26/2004 - 10:00 AM

Council Action (1) 10/26/2004 - ENACTED
Council Votes: MB:A, SHD:A, TD:A, CE:A, DCH:A, TH:A, TK:A, DP:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

12-201, 12-204, 12-205

COMMITTEE REPORTS:

HEALTH, EDUCATION & HUMAN SERVICES

Date 9/15/2004

Committee Vote: Favorable, 4-0 (In favor: Council Member Exum, Bland, Hendershot and Peters).

Staff summarized the purpose of the bill and referral comments that were received. CB-73-2004 prohibits the sale of single cigarettes in Prince George's County. It will mirror State and Federal laws as they pertain to the sale of single cigarettes.

The Health Officer indicated that the Health Department is authorized by County Code to cite store owners and employees for selling single cigarettes to persons under the age of 18, but not to those 18 years or older. CB-73-2004 will amend the Code and strengthen the Health Department's ability to enforce the County's tobacco laws.

CB-73-2004 establishes civil penalties against the owner and employee who are in violation. The Health Officer indicates that the enforcement mechanism will be sting operations. Currently, there are approximately 1,000 venders in the County with one (1) inspector and two (2) decoys.

The County Executive supports and the Office of Law find it to be in proper legislative form. The Office of Audits and Investigations has determined that there may be positive fiscal impact on the County as a result of enacting

CB-73-2004.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

The Health Department currently has authority to cite storeowners and employees for sales of individual cigarettes to minors. However, the problem of individual cigarette sales to all ages has increased in the last several years. This legislation would amend the County law to be similar to State law, which prohibits the sale of unpackaged cigarettes to anyone. This legislation also would allow the County's inspectors to cite storeowners and employees for selling individual cigarettes to anyone by prohibiting sales of unpackaged cigarettes.

CODE INDEX TOPICS:

INCLUSION FILES:
