

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 5/22/2001

Reference No.: CB-13-2001

Proposer: Bailey

Draft No.: 1

Sponsors: Bailey

Item Title: An Act regulating the method of selling tobacco products
in retail stores in certain circumstances and providing
for enforcement of these requirements by civil fines

Drafter: Ralph E. Grutzmacher
Legislative Officer

Resource Rhonda Walker
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 2/27/2001

Executive Action: __/__/__

Committee Referral: 2/27/2001 HEHS

Effective Date: __/__/__

Committee Action: 3/21/2001 FAV

Date Introduced: 3/27/2001

Public Hearing: 4/24/2001 10:00 A.M.

Council Action: 1 4/24/2001 ENACTED

Council Votes: RVR:A, DB:A, JE:A, IG:A, TH:A, WM:AB, AS:A, PS:A, MW:A

Pass/Fail: P

Council Action: 2 5/22/2001 VETO OVERRIDE FAILED

Council Votes: RVR:-, DB:A, JE:N, IG:A, TH:N, WM:N, AS:A, PS:A, MW:-

Pass/Fail: F

Remarks: _____

THIS BILL WAS VETOED

HEALTH, EDUCATION AND HUMAN SERVICES

DATE: 3/21/01

Committee Vote: Favorable, 5-0, (In favor: Council Members Gourdine, Hendershot, Bailey, Scott and Wilson)

CB-13-2001 prohibits displaying or storing tobacco products in any place that is accessible to

buyers of the tobacco product without the intervention of the retail seller or the retail seller's agents. The purpose of the provision is to curtail the smoking process among minors. Each violation will constitute a civil violation subject to a civil fine of \$100.

The sponsor indicates that Howard and Montgomery counties have adopted similar legislation in assisting minors in delaying the smoking process. The sponsor further indicated that the proposed legislation supplements state regulations concerning the sale of tobacco products.

The Health Officer spoke in support of the legislation explaining that money would be available for enforcement out of the tobacco settlement.

The Office of Law finds it to be in proper legislative form. The Office of Audits and Investigations finds that there may be some positive fiscal impact on the County related to any fines collected.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The proposed legislation is drafted to supplement state regulations concerning the sale of tobacco products. Self-service tobacco displays facilitate unlawful sales of tobacco products to minors. The County has an obligation to reduce the health hazards associated with the use of tobacco products by minors. The proposed legislation will make it more difficult for minors to circumvent existing state laws that restrict the sale of tobacco products to minors.

CODE INDEX TOPICS:

THIS BILL WAS VETOED