

1.1 ..... moves to amend H.F. No. 331 as follows:

1.2 Page 1, line 15, delete ", as defined in section 124E.03, subdivision 2" and insert  
1.3 "governed by chapter 124E"

1.4 Page 2, line 3, after "age" insert a comma

1.5 Page 4, line 2, delete "nonmonetary" and insert "alternative" and strike "options" and  
1.6 insert "penalties"

1.7 Page 4, line 4, after the period insert "Alternative civil penalties developed under this  
1.8 subdivision shall not include fines or monetary penalties."

1.9 Page 4, line 9, after "checks" insert "conducted under this subdivision"

1.10 Page 4, line 10, strike "over the age of" and delete "16" and insert "at least 17 years of  
1.11 age"

1.12 Page 4, line 14, after the period insert "The age requirements for persons participating  
1.13 in compliance checks under this subdivision shall not affect the age requirements in federal  
1.14 law for persons participating in federally required compliance checks of these locations."

1.15 Page 4, line 17, after the period insert "A licensing authority's report to the commissioner  
1.16 under this paragraph must include the following information at a minimum:"

1.17 Page 4 after line 17, insert:

1.18 "(1) the name of the licensing authority;

1.19 (2) the date of the compliance check at which the violations were found;

1.20 (3) the name and physical address of the licensee; and

1.21 (4) the number of violations of section 609.685 or 609.6855 by this licensee in the past  
1.22 36 months.

2.1 The licensing authority may also report to the commissioner, a list of the products purchased  
2.2 during the compliance check and the penalty assessed on the licensee by the licensing  
2.3 authority. The commissioner shall compile all reports received from licensing authorities,  
2.4 make publicly available the information reported to the commissioner under this paragraph  
2.5 for the most recent five-year period, and update the publicly available information at least  
2.6 every six months to include information from new reports received."

2.7 Page 5, line 4, before "tobacco" insert "the sale of"

2.8 Page 5, line 12, delete "by Code of Federal Regulations, volume"

2.9 Page 5, line 13, delete everything before "from"

2.10 Page 6, line 12, strike everything after "any"

2.11 Page 6, strike lines 13 to 15 and insert "drugs, devices, or combination products, as those  
2.12 terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale  
2.13 by the United States Food and Drug Administration."

2.14 Page 6, line 25, delete "electric" and insert "electronic"

2.15 Page 6, line 28, strike "does"

2.16 Page 6, strike lines 29 to 32 and insert "excludes drugs, devices, or combination products,  
2.17 as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized  
2.18 for sale by the United States Food and Drug Administration."

2.19 Page 7, line 14, delete "a nonmonetary," and insert "an"

2.20 Page 7, delete lines 16 to 23 and insert:

2.21 "Subd. 2a. **Alternative penalties.** Law enforcement and court system representatives  
2.22 shall consult, as applicable, with interested persons, including but not limited to parents,  
2.23 guardians, educators, and persons under the age of 21 years, to develop alternative civil  
2.24 penalties for persons under the age of 21 years who violate this section. Consulting  
2.25 participants shall consider a variety of alternative civil penalties including but not limited  
2.26 to tobacco-free education programs, community service, court diversion programs, and  
2.27 tobacco cessation programs, and for persons under the age of 18 years, notice to schools  
2.28 and to parents or guardians. Alternative civil penalties developed under this subdivision  
2.29 shall not include fines or monetary penalties."

2.30 Page 8, line 18, after "lobelia" insert ", whether natural or synthetic,"

2.31 Page 8, line 32, after "product" insert ", as those terms are defined in the Federal Food,  
2.32 Drug, and Cosmetic Act, that are"

- 3.1 Page 9, line 1, delete everything after "Administration"
- 3.2 Page 9, line 2, delete everything before the period
- 3.3 Page 9, line 8, delete "a"
- 3.4 Page 9, line 9, delete "nonmonetary civil penalty" and insert "an alternative civil penalty
- 3.5 in accordance with subdivision 3"
- 3.6 Page 9, delete lines 17 to 23 and insert "enforcement and court system representatives
- 3.7 shall consult, as applicable, with interested persons, including but not limited to parents,
- 3.8 guardians, educators, and persons under the age of 21 years, to develop alternative civil
- 3.9 penalties for persons under the age of 21 years who violate this section. Consulting
- 3.10 participants shall consider a variety of alternative civil penalties including but not limited
- 3.11 to tobacco-free education programs, community service, court diversion programs, and
- 3.12 tobacco cessation programs, and for persons under the age of 18 years, notice to schools
- 3.13 and to parents or guardians. Alternative civil penalties developed under this subdivision
- 3.14 shall not include fines or monetary penalties."