

# HOUSE RESEARCH

## Bill Summary

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**Subject:** Cigarette sales, licensing

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### Overview

Under Minnesota Statutes, chapter 461, a city or town may license and regulate the retail sales of tobacco, and the county may license and regulate in the unorganized territory of the county and in any city or town that does not regulate and license. This bill amends provisions relating to administrative penalties for unlawful sale of tobacco to minors and prohibits local ordinances that set greater penalties.

#### Section

- 1** **Administrative penalties; licensees.** Sets maximum administrative penalties for sale of tobacco to minors. (Under current law, the penalties are set amounts with the local option for greater penalties.) Permits suspension or revocation of a tobacco license only if the licensee fails to train or discipline employees in tobacco sale laws or fails to adopt and enforce a written policy to prevent tobacco sales to minors. Requires the local licensing authority to consider the licensee's policies and procedures used to prevent sales to minors in setting the penalty and length of license suspension.
- 2** **Effect on local ordinance; notice.** Prohibits a licensing authority from imposing a penalty greater than that set in section 1 or the current law (not amended in this bill).
- 3** **Repealer.** Repeals two provisions as of June 1, 2007: section 1 of the bill, and the provision that imposes an administrative penalty on individuals who sell to minors.
- 4** **Effective date; application.** Sections 1 and 2 are effective day after enactment and apply to administrative penalties imposed on or after that date.