

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2015, Legislative Day No. 3

Bill No. 13-15

Councilmembers Quirk, Marks & Bevins

By the County Council, February 2, 2015

A BILL
ENTITLED

AN ACT concerning

Distribution of Tobacco Products to Minors

FOR the purpose of amending certain penalties and enforcement provisions pertaining to the distribution of tobacco products to minors; and generally relating to the distribution of tobacco products to minors.

BY repealing and re-enacting, with amendments

Section 13-12-105(a)
Article 13 - Public Health, Safety, and the Environment
Title 12 - Distribution of Tobacco Products to Minors
Baltimore County Code, 2003

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 ARTICLE 13. PUBLIC HEALTH, SAFETY, AND THE ENVIRONMENT

2 TITLE 12. DISTRIBUTION OF TOBACCO PRODUCTS TO MINORS

3 § 13-12-105. PENALTIES AND ENFORCEMENT.

4 (a) *Penalty for owners.*

5 [(1) An owner who violates any provision of this title is subject to a civil penalty of \$300 for the
6 first violation and \$500 for any subsequent violations.

7 (2)](1) AN OWNER WHO VIOLATES THE DISTRIBUTION TO MINORS PROVISIONS
8 OF § 13-12-103 OF THIS TITLE OR THE PRODUCT PLACEMENT PROVISIONS OF § 13-12-
9 104 OF THIS TITLE IN ANY CALENDAR YEAR IS SUBJECT TO A CIVIL PENALTY AS
10 FOLLOWS:

11 (I) \$500 FOR A FIRST VIOLATION;

12 (II) \$1,000 FOR A SECOND VIOLATION; AND

13 (III) \$1,500 OR SUSPENSION OF ALL TOBACCO SALES FOR ONE MONTH OR BOTH
14 FOR A THIRD OR SUBSEQUENT VIOLATION.

15 (2) AN OWNER WHO VIOLATES THE IDENTIFICATION CHECK PROVISIONS OF § 13-
16 12-103.1 OF THIS TITLE IN ANY CALENDAR YEAR IS SUBJECT TO A WRITTEN
17 WARNING FOR A FIRST VIOLATION AND THEREAFTER A CIVIL PENALTY AS
18 FOLLOWS:

19 (I) \$100 FOR A SECOND VIOLATION; AND

20 (II) \$250 FOR A THIRD OR SUBSEQUENT VIOLATION.

21 (3) An owner is liable for violation of this title committed by an employee or agent of the owner.

1 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-five
2 (45) days after its enactment.

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