

HOUSE BILL REPORT

HB 2255

As Reported By House Committee On:
Health Care

Title: An act relating to the distribution of free tobacco products.

Brief Description: Prohibiting the distribution of free tobacco products.

Sponsors: Representatives Valle, Talcott, Dellwo, Shin, Brown, Flemming, Wineberry, Dyer, Hansen, Veloria, Quall, Chandler, Foreman, J. Kohl and H. Myers.

Brief History:

Reported by House Committee on:
Health Care, February 4, 1994, DP.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 9 members:
Representatives Dellwo, Chair; L. Johnson, Vice Chair;
Appelwick; Conway; Flemming; Lemmon; Morris; Thibaudeau and
Veloria.

Minority Report: Do not pass. Signed by 7 members:
Representatives Dyer, Ranking Minority Member; Ballasiotes,
Assistant Ranking Minority Member; Backlund; Cooke;
R. Johnson; Lisk and Mastin.

Staff: Bill Hagens (786-7131).

Background: Present law governing minors' access to tobacco makes it illegal to distribute or offer to distribute tobacco samples in a public place unless it is: in an area to which persons under the age of 18 are denied admission or at a store or concession to which a retailer's license has been issued; or at or adjacent to a production, repair, or outdoor construction site or facility; but in no way in or on a public street, sidewalk, or park that is within 50 feet of a playground, school, or other facility when that facility is being used primarily by persons under the age of 18 for recreational, educational, or other purposes. There is a \$300 penalty for each violation.

Proponents of this measure believe that current law is inadequate to control minors' access to tobacco since sampling is a major cause of initial use.

Summary of Bill: Free distribution, or sampling, of tobacco products is made illegal. The fine is increased to \$500.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Present laws on sampling are inadequate to stop minors from accessing tobacco products.

Testimony Against: The present sampling law was passed in 1993. It must be given time to work. The ban on sampling is an unnecessary infringement on individual adult rights.

Witnesses: Jo Wadsworth, Department of Health (pro); Bill Van Horn, Washington Tobacco Free Coalition (pro); Stu Halsan, Smokeless Tobacco Council (con); Steve Albrecht, Washington Doctors Ought to Care (pro); Willa Fisher, Washington Tobacco Free Washington (pro); Paul Zemann, Seattle/King County Department of Health (pro); Jim Boldt, Washington State Food Dealers; Linda Tanz, Coalition on Smoking or Health (pro); and Lis Merten, Washington State Nurses Association (pro).