

SENATE BILL REPORT

SB 6337

As Passed Senate, February 16, 2002

Title: An act relating to tobacco product sampling.

Brief Description: Prohibiting tobacco product sampling.

Sponsors: Senators Oke, Haugen, Eide, Swecker, B. Sheldon, Hargrove, Spanel, Prentice, Jacobsen, Fraser, Gardner and Rasmussen.

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 1/24/02, 2/7/02 [DPS, DNP].

Passed Senate: 2/16/02, 43-5.

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Majority Report: That Substitute Senate Bill No. 6337 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Keiser, Vice Chair; Fairley, Gardner, Rasmussen, Regala and Winsley.

Minority Report: Do not pass.

Signed by Senators Benton and Franklin.

Staff: David Cheal (786-7576)

Background: A marketing technique used by cigarette makers is the distribution of free samples.

These free samples have been distributed in public places, retail stores and travel facilities. Current law prohibits distribution of free samples to minors.

Summary of Bill: Distribution of samples of tobacco products to members of the public is prohibited. Various provisions of the laws regulating this practice are deleted or repealed.

Appropriation: None.

Fiscal Note: Requested on January 22, 2002.

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

Testimony For: (Original bill) Distribution of free samples inevitably leads to more people, particularly young people, becoming addicted to cigarettes. The current system, which prohibits distribution of free samples to minors, is nearly impossible to enforce. The only effective way to keep free cigarettes out of the hands of young people is a total ban.

Testimony Against: After long negotiation, an agreement between the tobacco industry was reached in 1993 with respect to free sample distribution. A special license must be obtained. Penalties are available if a distributor doesn't take proper precautions against giving samples to minors. The state should not interfere beyond that.

Testified: Senator Oke (pro); T.K. Bentler (con); Mark Triplett (con); Dave Horn, Attorney General's Office (pro);.