
SUBSTITUTE HOUSE BILL 1549

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Schual-Berke, Cody, Campbell, Conway, Schmidt, Fromhold, Kenney, Rockefeller, McIntire, Miloscia, Edwards, Hunt, Edmonds, O'Brien, Ogden, Kagi, Lovick, Darneille and Poulsen; by request of Governor Locke and Attorney General)

Read first time 02/08/2002. Referred to Committee on .

1 AN ACT Relating to regulation of tobacco products under the access
2 to minors statutes; and amending RCW 70.155.030 and 70.155.040.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.155.030 and 1994 c 202 s 1 are each amended to read
5 as follows:

6 (1) No person shall sell or permit to be sold any tobacco product
7 through any device that mechanically dispenses tobacco products unless
8 the device is located fully within premises from which minors are
9 prohibited or in industrial worksites where minors are not employed and
10 not less than ten feet from all entrance or exit ways to and from each
11 premise. The board shall adopt rules that allow an exception to the
12 requirement that a device be located not less than ten feet from all
13 entrance or exit ways to and from a premise if it is architecturally
14 impractical for the device to be located not less than ten feet from
15 all entrance and exit ways.

16 (2) Except as provided in subsection (1) of this section, beginning
17 January 1, 2003, self-service displays of tobacco products are
18 prohibited. All in-store tobacco products must be sold from behind the
19 counter or from within locked display units. This section does not

1 apply to retailers who sell tobacco products exclusively or primarily.
2 For the purposes of this section the liquor control board has
3 discretion to determine whether a retailer sells tobacco products
4 exclusively or primarily. Further, this section does not apply to
5 sales from within premises where minors are prohibited by statute.

6 **Sec. 2.** RCW 70.155.040 and 1993 c 507 s 5 are each amended to read
7 as follows:

8 (1) No person shall sell or permit to be sold cigarettes not in the
9 original unopened package or container to which the stamps required by
10 RCW 82.24.060 have been affixed.

11 (2) Packages of fewer than twenty cigarettes may be sold only in
12 premises where minors are prohibited by statute.

13 (3) This section does not apply to the sale of loose leaf tobacco
14 by a retail business that generates a minimum of sixty percent of
15 annual gross sales from the sale of tobacco products.

16 NEW SECTION. **Sec. 3.** If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected.

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