

# SENATE BILL No. 575

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 24-3-2.

**Synopsis:** Minimum cigarette package size. Requires sales of cigarettes to be made in packages of at least 20 cigarettes and sales of rolling tobacco to be made in packages of at least 0.6 ounces of tobacco.

**Effective:** July 1, 1999.

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**Simpson**

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January 20, 1999, read first time and referred to Committee on Governmental and Regulatory Affairs.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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## SENATE BILL No. 575



A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 24-3-2-2.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 1999]: **Sec. 2.5. It is a Class C infraction for a retailer or  
4 distributor to offer to sell or sell at retail or wholesale:**

- 5 (1) **cigarettes in a package that contains fewer than twenty**
- 6 **(20) cigarettes; or**
- 7 (2) **tobacco for a roll your own cigarette in a package that**
- 8 **contains less than six tenths (0.6) ounces of tobacco.**

9 **The registration certificate of a distributor under IC 6-7-1 may be**  
10 **revoked by the department for the balance of the certificate's term**  
11 **if a retailer or distributor violates this section.**

12 SECTION 2. IC 24-3-2-6 IS AMENDED TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 1999]: **Sec. 6. Except for the requirements of**  
14 **section 2.5 of this chapter**, the provisions of this chapter shall not  
15 apply to sales at retail or sales at wholesale made:

- 16 (a) in an isolated transaction and not in the usual course of
- 17 business;



- 1 (b) where cigarettes are offered for sale or sold in bona fide
- 2 clearance sales for the purpose of discontinuing trade in such
- 3 cigarettes and said advertising, offer to sell, or sale shall state the
- 4 reason thereof and the quantity of such cigarettes offered for sale
- 5 or to be sold;
- 6 (c) where cigarettes are offered for sale or sold as imperfect or
- 7 damaged and said offering to sell or sale shall state the reason
- 8 therefor and the quantity of such cigarettes offered for sale or to
- 9 be sold;
- 10 (d) where cigarettes are sold upon the final liquidation of a
- 11 business; or
- 12 (e) where cigarettes are offered for sale or sold by any fiduciary
- 13 or other officer acting under the order or direction of any court.

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