



February 18, 2011

HOUSE BILL No. 1522

DIGEST OF HB 1522 (Updated February 16, 2011 4:15 pm - DI 14)

Citations Affected: IC 24-4.

Synopsis: Smoking devices and tobacco businesses. Provides that a person who sells a smoking pipe or smoking device at retail: (1) must store the smoking pipe or smoking device behind a counter in an area inaccessible to a customer or in a locked display case that makes the smoking pipe or smoking device unavailable to a customer without the assistance of an employee; and (2) may not sell a smoking pipe or smoking device to a person who is less than 18 years of age. Makes a violation of these provisions a Class C infraction.

Effective: July 1, 2011.

VanDenburgh, Eberhart

January 20, 2011, read first time and referred to Committee on Public Policy.
February 17, 2011, amended, reported — Do Pass.

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HB 1522—LS 6528/DI 69+



February 18, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1522

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

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

1 SECTION 1. IC 24-4-18 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2011]:

4 **Chapter 18. Smoking Pipes and Smoking Devices**

5 **Sec. 1. As used in this chapter, "smoking pipe or smoking
6 device" means any of the following:**

- 7 (1) **Metal, wooden, acrylic, glass, stone, plastic, or ceramic**
- 8 **pipes with or without screens, permanent screens, or**
- 9 **punctured metal bowls.**
- 10 (2) **Water pipes.**
- 11 (3) **Carburetion tubes and devices.**
- 12 (4) **Smoking and carburetion masks.**
- 13 (5) **Chamber pipes.**
- 14 (6) **Carburetor pipes.**
- 15 (7) **Electric pipes.**
- 16 (8) **Air-driven pipes.**
- 17 (9) **Chillums.**

HB 1522—LS 6528/DI 69+



1 **(10) Bongs.**
2 **(11) Ice pipes or chillers.**
3 **Sec. 2. A person who sells a smoking pipe or smoking device at**
4 **retail:**
5 **(1) must store the smoking pipe or smoking device:**
6 **(A) behind a counter in an area inaccessible to a customer;**
7 **or**
8 **(B) in a locked display case that makes the smoking pipe or**
9 **smoking device unavailable to a customer without the**
10 **assistance of an employee; and**
11 **(2) may not sell a smoking pipe or smoking device to a person**
12 **who is less than eighteen (18) years of age.**
13 **Sec. 3. A person who violates this chapter commits a Class A**
14 **infraction.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1522, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 5 through 16, begin a new paragraph and insert:

"Sec. 1. As used in this chapter, "smoking pipe or smoking device" means any of the following:"

Page 2, between lines 12 and 13, begin a new paragraph and insert:

"Sec. 2. A person who sells a smoking pipe or smoking device at retail:

- (1) must store the smoking pipe or smoking device:**
 - (A) behind a counter in an area inaccessible to a customer;**
 - or**
 - (B) in a locked display case that makes the smoking pipe or smoking device unavailable to a customer without the assistance of an employee; and**
- (2) may not sell a smoking pipe or smoking device to a person who is less than eighteen (18) years of age."**

Page 2, line 13, delete "4." and insert "3."

Page 2, delete lines 15 through 42.

Delete page 3.

and when so amended that said bill do pass.

(Reference is to HB 1522 as introduced.)

DAVIS, Chair

Committee Vote: yeas 11, nays 1.

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