
HOUSE BILL No. 1031

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-1-11.8.

Synopsis: Tobacco self-service displays. Allows a retail establishment to sell or distribute cigars and pipe tobacco through a self-service display. (Current law provides that the owner of a retail establishment that sells or distributes tobacco products through a self-service display commits a Class C infraction.)

Effective: Upon passage.

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January 9, 2012, read first time and referred to Committee on Public Policy.

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Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1031



A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

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

1 SECTION 1. IC 35-46-1-11.8, AS AMENDED BY P.L.10-2011,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 11.8. (a) As used in this section, "self-service
4 display" means a display that contains tobacco in an area where a
5 customer:
6 (1) is permitted; and
7 (2) has access to the tobacco without assistance from a sales
8 person.
9 (b) This section does not apply to a self-service display located in
10 a retail establishment that:
11 (1) has a primary purpose to sell tobacco; and
12 (2) prohibits entry by persons who are less than eighteen (18)
13 years of age.
14 (c) The owner of a retail establishment that sells or distributes
15 tobacco, **other than cigars and pipe tobacco**, through a self-service
16 display, other than a coin operated machine operated under
17 IC 35-46-1-11 or IC 35-46-1-11.5, commits a Class C infraction.



1 (d) Notwithstanding IC 34-28-5-5(c), civil penalties collected under
2 this section must be deposited in the Richard D. Doyle youth tobacco
3 education and enforcement fund (IC 7.1-6-2-6).
4 SECTION 2. **An emergency is declared for this act.**

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