

# SENATE BILL 229

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5lr1822  
CF 5lr2300

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By: **Calvert County Senators**

Introduced and read first time: February 3, 2015

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – Sale or Distribution of Tobacco and Related Products – Civil**  
3 **Penalties**

4 FOR the purpose of prohibiting a person who owns and operates a certain business in  
5 Calvert County that engages in the retail sale of tobacco products from storing or  
6 displaying a tobacco product in a certain manner; prohibiting a person in Calvert  
7 County from distributing a tobacco product to a minor except under certain  
8 circumstances, distributing cigarette rolling papers to a minor, or distributing to a  
9 minor a coupon redeemable for a tobacco product except under certain  
10 circumstances; providing that a person has not violated a certain provision if the  
11 person took certain actions under certain circumstances; providing for civil penalties  
12 for violations of certain prohibitions; and generally relating to the sale or distribution  
13 in Calvert County of tobacco and related products to minors.

14 BY repealing and reenacting, with amendments,  
15 Article – Local Government  
16 Section 1–1202 and 1–1203  
17 Annotated Code of Maryland  
18 (2013 Volume and 2014 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
20 That the Laws of Maryland read as follows:

21 **Article – Local Government**

22 1–1202.

23 (a) This section applies only in:

24 (1) **CALVERT COUNTY;**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2)**   Carroll County; and

2           ~~[(2)]~~ **(3)**   Garrett County.

3           (b)   This section does not apply to:

4           (1)   the sale of a tobacco product from a vending machine that complies with  
5 State law;

6           (2)   a tobacconist establishment that engages primarily in the sale of  
7 tobacco products other than cigarettes, as defined in § 16–101 of the Business Regulation  
8 Article; or

9           (3)   a business that engages primarily in the retail sale of beer, wine, and  
10 liquor.

11          (c)   A person who owns or operates a business that engages in the retail sale of a  
12 tobacco product may not store or display a tobacco product unless the tobacco product:

13           (1)   is not immediately accessible to customers; and

14           (2)   is accessible only to the owner or operator of the business or an agent  
15 of the owner or operator.

16          (d)   A person who violates subsection (c) of this section commits a civil infraction  
17 and is subject to a civil penalty of:

18           (1)   \$100 for the first violation; and

19           (2)   \$300 for any subsequent violation.

20          (e)   A citation for a second violation may not be issued within 30 days after the  
21 date of the first citation.

22          (f)   After a citation is issued for a second violation, a citation may be issued each  
23 day that the violation continues after the date of the second citation.

24 1–1203.

25          (a)   This section applies only in:

26           (1)   **CALVERT COUNTY;**

27           **(2)**   Carroll County;



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1 (ii) \$500 for a second violation; and

2 (iii) \$750 for any subsequent violation.

3 (3) In Garrett County, a person who violates this section commits a civil  
4 infraction and is subject to a civil penalty not exceeding \$300.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2015.