

HB 395 -- Cigarette Merchandising

Sponsor: St. Onge

This bill allows cigarette retailers to participate in a cigarette manufacturer's marketing or promotional program in which the retailer is paid by the manufacturer for providing cigarette merchandising; shelf space, advertising, stocking, or display of the manufacturer's product; and cigarette promotions and discounts to customers.

The manufacturer can require participating retailers to provide the promotion or discount to customers and require that the retailer advertise and display the promotional product to customers.

The bill prohibits cigarette manufacturers from:

- (1) Requiring the retailer to give the manufacturer's product preferential treatment or to give a competitor's product prejudicial treatment;
- (2) Requiring the retailer to allocate a certain amount of shelf space or advertising space for the manufacturer's product;
- (3) Preventing a retailer from participating in promotional programs for another manufacturer's product; or
- (4) Requiring the retailer to raise its prices on another manufacturer's products.

Any manufacturer who violates these provisions is guilty of a class B misdemeanor.