

SECOND REGULAR SESSION

HOUSE BILL NO. 1738

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HOLSMAN (Sponsor),
OXFORD AND SCHIEFFER (Co-sponsors).

Read 1st time January 17, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4027L.01I

AN ACT

To repeal section 407.928, RSMo, and to enact in lieu thereof one new section relating to tobacco paraphernalia.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 407.928, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 407.928, to read as follows:

407.928. **1.** No person or entity shall sell individual packs of cigarettes or smokeless tobacco products unless such packs satisfy one of the following conditions prior to the time of sale:

(1) It is sold through a vending machine; or

(2) It is displayed behind the check-out counter or it is within the unobstructed line of sight of the sales clerk or store attendant from the checkout counter.

2. Any person or entity who sells tobacco paraphernalia shall keep such paraphernalia behind the checkout counter and out of reach of any customer. As used in this section, "tobacco paraphernalia" means any device commonly used to smoke or facilitate smoking, inhaling, or ingesting tobacco or any device commonly used to prepare tobacco for smoking, inhaling, or ingesting. "Tobacco paraphernalia" includes such devices as pipes designed for smoking tobacco products, rolling papers, or rolling machines designed, manufactured, marketed, or sold for use primarily as a wrapping or enclosure for tobacco which enables a person to roll tobacco into a smokeable cigarette.

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.