

FIRST REGULAR SESSION

HOUSE BILL NO. 797

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BLAND MANLOVE.

1721H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to novelty lighters, with a penalty provision.

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

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be known as section 407.918, to read as follows:

407.918. 1. No supplier of novelty lighters in this state, including a manufacturer, distributor, importer, retailer, or anyone giving away novelty lighters as prizes or promotions, shall sell or give away operable novelty lighters. This subsection shall not apply to the transportation of novelty lighters through this state or the storage of novelty lighters in a warehouse or distribution center in this state that is closed to the public for purposes of retail sales.

2. As used in this section, "novelty lighter" means a mechanical or electrical device typically used for lighting cigarettes, cigars, or pipes that has entertaining audio or visual effects, or that resembles in physical form or function articles commonly recognized as appealing to or intended for use by children under eighteen years of age. This includes, but is not limited to, lighters that resemble cartoon characters, toys, guns, watches, musical instruments, vehicles, animals, food or beverages, or that play musical notes, have flashing lights, or other entertaining features. Novelty lighters may operate on any fuel, including butane, isobutylene, or liquid fuel.

3. The provisions of this section shall not apply to the following:

(1) Lighters that were made before January 1, 1980, or that are considered to be collectable items;

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.

18 **(2) Lighters incapable of being fueled or lacking a device necessary to produce**
19 **combustion or a flame;**

20 **(3) Any mechanical or electrical device primarily used to ignite fuel for fireplaces**
21 **or for charcoal or gas grills; or**

22 **(4) Standard disposable and refillable lighters that are printed or decorated with**
23 **logos, labels, decals, artwork, or heat-shrinkable sleeves.**

24 **4. Violation of this section is a class D misdemeanor.**

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