

By the Committee on Regulated Industries; and Senator Laurent

315-1810-02

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A bill to be entitled

An act relating to tobacco; prohibiting the sale, offer for sale, or display of tobacco products under specified circumstances; providing exceptions; providing a penalty; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. (1)(a) A person, business, tobacco retailer, or other establishment, with the exception of a package store as defined by general law, may not sell, offer for sale, or display any single package of cigarettes as defined by section 210.01, Florida Statutes, or smokeless tobacco in an open display that is accessible to the public without the intervention of the person or of an employee of the person, business, tobacco retailer, or establishment.

(b) Paragraph (a) does not apply to a retail store that derives at least 90 percent of its revenue from tobacco and tobacco-related products or a store on the premises of which persons under the age of 18 are not permitted.

(2) A person, business, tobacco retailer, or other establishment may offer and sell cartons and multi-unit packages of cigarettes as defined by section 210.01, Florida Statutes, or smokeless tobacco through open displays only if the displays are within the line of sight of the sales clerk, in accordance with state law.

(3) A violation of this section constitutes a misdemeanor of the second degree, punishable as provided in section 775.082 or section 775.083, Florida Statutes.

Section 2. This act shall take effect July 1, 2002.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 132

The committee substitute deletes the bill's restrictions on display and sale of tobacco products and replaces them with restrictions on cigarettes and smokeless tobacco. There are exemptions from the single-package limitations for package stores, retail stores that derive at least 90 percent of their revenue from tobacco and tobacco-related products, and stores in which minors are not permitted.