S T A T E O F N E W Y O R K

7053

2009-2010 Regular Sessions

I N A S S E M B L Y

March 19, 2009

Introduced by M. of A. BALL -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to sale of tobacco products, herbal cigarettes, rolling papers or pipes to minors

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 1399-cc of the public health law is amended by adding a new subdivision 8 to read as follows:

8. ANY AGENT OR EMPLOYEE OF A LICENSEE OR PERSON OPERATING A PLACE OF BUSINESS WHEREIN TOBACCO PRODUCTS OR HERBAL CIGARETTES ARE SOLD WHO MAKES THE ACTUAL SALE OR PERFORMS A TRANSACTION IN VIOLATION OF THIS SECTION SHALL BE SUBJECT TO A FINE OF TWO HUNDRED FIFTY DOLLARS FOR THE FIRST OFFENSE AND AN ADDITIONAL TWO HUNDRED FIFTY DOLLARS FOR EACH ADDITIONAL OFFENSE. THIS SUBDIVISION SHALL NOT APPLY TO THE LICENSEE OR OWNER OR OPERATOR OF THE AFORESAID BUSINESS.

S 2. This act shall take effect immediately, provided, however, that the amendments to section 1399-cc of the public health law made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD10385-01-9