
DIGEST

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HB 630 Original

2020 Regular Session

Duplessis

Abstract: Allows the commissioner to suspend or penalize any person involved in the sale of vapor products sold to anyone under 18 years old, vapor paraphernalia and devices sold to anyone under 18 years old, and unauthorized products, and requires the commissioner to promulgate rules and regulations to implement these provisions.

Present law provides for civil penalties with regard to tobacco products.

Present law provides that the commissioner of the office of alcohol and tobacco control may impose the following schedule of fines in addition to suspending or revoking of a permit:

- (1) First offense, not less than \$50 but not more than \$500.
- (2) Second offense, that occurs within two years of first offense, not less than \$250 but not more than \$1,000.
- (3) Third offense, that occurs within two years of first offense, not less than \$500 but not more than \$2,500.

Present law provides that in the case of knowing or intentional violations of certain provisions regarding stamping agents, the stamping agent shall be subject to a civil penalty of up to \$1,000 and for the second or subsequent violation the agent shall be subject to a civil penalty of up to \$5,000 per violation.

Present law provides that any fine imposed or the revocation or suspension of a permit is in addition to not in lieu of or a limitation on any other penalty imposed by law and not contained in present law.

Proposed law retains present law and allows the commissioner to suspend a permit or penalize any person involved in the sale of unauthorized products and vapor products or vapor paraphernalia and devices to anyone under 18 years of age.

Proposed law requires the commissioner to promulgate rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of present and proposed law.

(Amends R.S. 26:918(B), (C), and (D); Adds R.S. 26:918(E), (F), and (G))