

BILL SUMMARY
2nd Session of the 54th Legislature

Bill No.:	HB2361
Version:	SAHB
Request Number:	NA
Author:	Representative Cox
Date:	5/20/2014
Impact:	Possible Revenue Increase - AG

Research Analysis

HB2361 prohibits the distribution, selling or transport of cigarettes by a person who is not a manufacturer, wholesaler or distributor licensed by the Oklahoma Tax Commission or an authorized export warehouse proprietor. The measure also makes it illegal for any common or contract carrier to knowingly transport cigarettes to any person other than those authorized to receive cigarettes. An exception is available for quantities less than 1,000 cigarettes per incident delivered to a home or residence. Those found guilty of transporting cigarettes may be subject to a civil penalty equal to \$2500 for each violation or \$25 each pack of cigarettes shipped, whichever is greater. The offender may also be required to reimburse the state for the cost of investigating the violation and any attorney fees or costs associated with the violation.

The measure also prohibits selling tobacco, cigars or cigarettes to an Indian minor under the age of eighteen.

Prepared By: Quyen Do

Fiscal Analysis

The PCS for HB2361 creates a civil penalty for persons or entities engaged in the business of illegally selling, distributing or transporting cigarettes. The penalty would be \$2,500 for each violation or \$25 for each pack of cigarettes, whichever is greater. The civil penalties would be deposited into the Attorney General's (AG) Evidence Fund.

Prepared By: Marilyn Anderson

The Tax Commission indicates they anticipate no change in revenue for the state or administrative costs to the Commission.

Prepared by: Mark Tygret

Other Considerations

None.