

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 3331</b>
<b>Version:</b>	<b>PCS1</b>
<b>Request Number:</b>	<b>9913</b>
<b>Author:</b>	<b>Rep. Roe</b>
<b>Date:</b>	<b>2/26/2024</b>
<b>Impact:</b>	<b>Increased Revenue Dependent on Violations</b>

**Research Analysis**

The proposed committee substitute to House Bill 3331 increases the administrative fines that the Alcoholic Beverage Laws Enforcement Commission imposes for selling any tobacco product, nicotine product, or vapor product to another person who is under 21.

- Not more than \$250 for the first offense to both the employee and the store owner.
- Not more than \$500 for the second offense within a two-year period following the first offense to both the employee and the store owner.
- Not more than \$1,000 for a third offense within a two-year period following the first offense to both the employee and the store owner.
- 1,000 for a fourth or subsequent offense within a two-year period following the first offense to both the employee and the store owner.

Prepared By: Matthew Brenchley

**Fiscal Analysis**

HB 3331 increases the limit the Alcoholic Beverage Laws Enforcement (ABLE) Commission may impose on a store owner or the store owner and employee for selling tobacco, nicotine, or vapor products to a minor. As outlined in this measure, the administrative fines to be increased statewide are not to exceed:

- Two Hundred Fifty Dollars (\$250.00) for the first offense,
- Five Hundred Dollars (\$500.00) for the second offense within two years following the first offense,
- One Thousand Dollars (\$1,000.00) for a third offense within a two-year period following the first offense,
- One Thousand Dollars (\$1,000.00) for a fourth or subsequent offense within a two-year period following the first offense.

The increase in revenue for a given year will be contingent on the number of violations that occur within that year. However, for reference, the table below compares tobacco penalties for 2023 based on current fines and what they would have been under the proposed legislation. As a result, the proposed legislation would have increased the Commission's revenue by Forty-Nine Thousand Two Hundred Dollars (\$49,200) in 2023.

Citation type	Current Fine	# Issued	Current Total	Proposed Fine	# Issued	Proposed Total
Tobacco Penalty to Employee	\$ 100.00	123	\$ 12,300.00	\$ 250.00	123	\$ 30,750.00
Tobacco Penalty to Business	0			\$ 250.00	123	\$ 30,750.00

Prepared By: Alexandra Ladner, House Fiscal Staff

### **Other Considerations**

None.