

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

HOUSE BILL 1594

4  
5 By: Representative Haak  
6 By: Senator Horn

## For An Act To Be Entitled

10 AN ACT TO REVISE THE DEFINITION OF WHOLESALER IN  
11 THE UNFAIR CIGARETTE SALES ACT; AND FOR OTHER  
12 PURPOSES.

## Subtitle

15 AN ACT TO REVISE THE DEFINITION OF  
16 WHOLESALER IN THE UNFAIR CIGARETTE SALES  
17 ACT.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code § 4-75-702(12) is amended to read as follows:

23 (12)~~(A)~~ "Wholesaler" means and includes:

24 (A) Any person other than a buying pool as defined in  
25 subdivision (2) of this section, wherever resident or located, who brings or  
26 causes to be brought into this state unstamped cigarettes purchased directly  
27 from the manufacturer thereof and who maintains an established place of  
28 business where substantially all of the business is the sale of cigarettes  
29 and related merchandise at wholesale to cigarette licensees and where at all  
30 times a substantial stock of cigarettes and related merchandise is available  
31 for resale, if seventy-five percent (75%) thereof are sold to retailers or  
32 other wholesalers not connected with the wholesaler by reason of any business  
33 connection or otherwise; ~~and~~

34 (B) Any person retailing cigarettes to consumers, if at  
35 least seventy-five percent (75%) of his or her purchases are made directly  
36 from the manufacturers thereof; and



1                   (C) Any person in this state other than a buying pool, as  
2 defined in subdivision (2) of this section, who purchases cigarettes from any  
3 other person who purchases from a manufacturer, at least seventy-five percent  
4 (75%) of which are for purposes of resale to retailers in this state not  
5 connected with the wholesaler by reason of any business connection or  
6 otherwise and who maintains an established place of business where cigarettes  
7 and related merchandise are sold at wholesale to persons licensed under this  
8 subchapter, and where at all times a substantial stock of cigarettes and  
9 related merchandise is available to all retailers for resale, ~~and.~~

10                   ~~(D) Any person in this state who acquires cigarettes~~  
11 ~~solely for the purpose of resale in cigarette vending machines, provided the~~  
12 ~~person operates thirty (30) or more machines.~~

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