

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.
Act 329 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

SENATE BILL 154

4
5 By: Senator Trusty
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For An Act To Be Entitled

8
9 AN ACT TO PROTECT THE HEALTH AND SAFETY OF
10 ARKANSAS'S CHILDREN; TO PROHIBIT SALES AND
11 DISTRIBUTION OF NOVELTY LIGHTERS; AND FOR OTHER
12 PURPOSES.
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Subtitle

14
15 AN ACT TO PROTECT THE HEALTH AND SAFETY
16 OF ARKANSAS'S CHILDREN; AND TO PROHIBIT
17 SALES AND DISTRIBUTION OF NOVELTY
18 LIGHTERS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code Title 5, Chapter 60, Subchapter 1 is amended
24 to add an additional section to read as follows:

25 5-60-102. Prohibition on sales and distribution of novelty lighters.

26 (a)(1) As used in this section, "novelty lighter" means a product
27 commonly used by consumers to ignite cigarettes, cigars, and pipes that has
28 entertaining audio or visual features that depict or resemble in physical
29 form or function articles commonly recognized as appealing to or intended for
30 use by children ten (10) years of age or younger, including without
31 limitation, lighters that depict or resemble cartoon characters, toys, guns,
32 watches, musical instruments, vehicles, toy animals, food or beverages, or
33 that play musical notes or have flashing lights, or other entertaining
34 features.

35 (2) "Novelty lighter" does not include:



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(A) A lighter manufactured before 1980; or

(B) A lighter that lacks a device necessary to produce combustion or a flame.

(b)(1) The retail sale, offer of retail sale, gift, or distribution of any novelty lighter in Arkansas is prohibited.

(2) Subdivision (b)(1) of this section does not apply to a novelty lighter that is:

(A) Being actively transported through the state; or

(B) Located in a warehouse closed to the public for purposes of retail sales.

(c) A person who pleads guilty or nolo contendere to or is found guilty of violating this section is guilty of a violation and shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500) for each offense and shall pay court costs.

APPROVED: 3/10/2009