

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S4/5/21

A Bill

SENATE BILL 551

5 By: Senator M. Johnson
6 By: Representative Dalby
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE UNFAIR CIGARETTE SALES ACT; AND
10 FOR OTHER PURPOSES.

Subtitle

14 TO AMEND THE UNFAIR CIGARETTE SALES ACT.

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

19 SECTION 1. Arkansas Code § 4-75-708(b) and (c), concerning the use of
20 rebates in the sale of cigarettes to impact competition under the Unfair
21 Cigarette Sales Act, are amended to read as follows:

22 (b)(1) It ~~shall be~~ is unlawful for any wholesaler, retailer, or
23 salesperson to offer a rebate in price, to give a rebate in price, to offer a
24 concession of any kind, or to give a concession of any kind or nature
25 whatsoever in connection with the sale of cigarettes with intent to injure
26 competitors or destroy or substantially lessen competition.

27 (2) However, it is not unlawful under this section for a
28 wholesaler to give a rebate if the rebate does not result in a sale at less
29 than the cost to the wholesaler according to § 4-75-702(5)(A), less discounts
30 that are received by the wholesaler from the manufacturer.

31 (c) It shall be unlawful for any retail dealer to induce or attempt to
32 induce or to procure or attempt to procure+

33 ~~(1) The~~ the purchase of cigarettes at a price less than cost to
34 the wholesaler; ~~or~~

35 ~~(2) Any rebate or concession of any kind in connection with the~~
36 ~~purchase of cigarettes.~~



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/s/M. Johnson