

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of Senate Bill No. 343

TO AMEND THE AUTHORITY OF THE ARKANSAS TOBACCO CONTROL BOARD TO ASSESS CIVIL PENALTIES; AND TO MODIFY CIVIL PENALTIES FOR UNLAWFUL SALES OF TOBACCO PRODUCTS.

Amendment No. 1 to Senate Bill No. 343

Amend Senate Bill No. 343 as originally introduced:

Page 1, delete lines 30 through 33, and substitute the following:

"(1) May be fined not more than three (3) times the value of the tax that would have been owed on the cigarettes, tobacco products, vapor products, alternative nicotine products, or e-liquid products involved in the transaction; and

(2)(A) For a second or subsequent offense, if the offense involves unlawful conduct such as cigarette, tobacco product, vapor product, alternative nicotine product, or e-liquid product smuggling a person:

(i) For an offense committed negligently, as defined in § 5-2-202, is guilty of a Class A misdemeanor;

(ii) For an offense committed knowingly, as defined in § 5-2-202, is guilty of a Class D felony; and

(iii) For an offense committed purposely, as defined in § 5-2-202, is guilty of a Class C felony."

AND

Page 2, delete lines 7 though 10, and substitute the following:

"(1) May be fined not more than three (3) times the value of the tax that would have been owed on the cigarettes, tobacco products, vapor products, alternative nicotine products, or e-liquid products involved in the transaction; and

(2)(A) For a second or subsequent offense, if the offense involves unlawful conduct such as cigarette, tobacco product, vapor product, alternative nicotine product, or e-liquid product smuggling a person:

(i) For an offense committed negligently, as defined in § 5-2-202, is guilty of a Class A misdemeanor;

(ii) For an offense committed knowingly, as defined in § 5-2-202, is guilty of a Class D felony; and

(iii) For an offense committed purposely, as defined in § 5-2-202, is guilty of a Class C felony."



AND

Page 2, delete line 17, and substitute the following:

"three (3) times the value of the tax that would have been owed on the cigarettes, tobacco products, vapor products, alternative nicotine products, or e-liquid products involved in the transaction against ~~any~~ a person"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator B. King

MGF/TDW - 03-09-2017 15:16:52

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Secretary