

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 343

5 By: Senator B. King
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE AUTHORITY OF THE ARKANSAS TOBACCO
9 CONTROL BOARD TO ASSESS CIVIL PENALTIES; TO MODIFY
10 CIVIL PENALTIES FOR UNLAWFUL SALES OF TOBACCO
11 PRODUCTS; AND FOR OTHER PURPOSES.
12
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Subtitle

14 TO AMEND THE AUTHORITY OF THE ARKANSAS
15 TOBACCO CONTROL BOARD TO ASSESS CIVIL
16 PENALTIES; AND TO MODIFY CIVIL PENALTIES
17 FOR UNLAWFUL SALES OF TOBACCO PRODUCTS.
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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 § 26-57-214(e), concerning penalties for
24 doing business regarding tobacco products without a registration or license,
25 is amended to read as follows:

26 (e) ~~Any~~ A person who pleads guilty or nolo contendere to or is found
27 guilty of buying, selling, or otherwise doing business in cigarettes, tobacco
28 products, vapor products, alternative nicotine products, or e-liquid products
29 in this state without first obtaining the appropriate license or permit;

30 (1) For a first offense, may be fined not more than three (3)
31 times the total of amount of the transaction; and

32 (2) For a second or subsequent offense, is guilty of a Class A
33 misdemeanor.
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35 SECTION 2. Arkansas Code § 26-57-226 is amended to read as follows:
36 26-57-226. Penalties.



1 ~~Any~~ A person within the jurisdiction of this state who is not licensed
2 to sell, deliver, or cause to be delivered tobacco products, vapor products,
3 alternative nicotine products, or e-liquid products to consumers and who
4 sells, takes orders from, delivers, or causes to be delivered immediately or
5 in the future any tobacco products, vapor products, alternative nicotine
6 products, or e-liquid products to consumers;;

7 (1) For a first offense, may be fined not more than three (3)
8 times the total of amount of the transaction; and

9 (2) For a second or subsequent offense, is guilty of a Class A
10 misdemeanor.

11
12 SECTION 3. Arkansas Code § 26-57-256(a)(5)(B)(ii) , concerning the
13 power of the Arkansas Tobacco Control Board to assess civil penalties, is
14 amended to read as follows:

15 (ii) In addition, the board may levy a civil penalty
16 in an amount not to exceed ~~five thousand dollars (\$5,000) for each violation~~
17 three (3) times the total of amount of the transaction against ~~any~~ a person
18 or entity found to be in violation.