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SENATE BILL 34

**44TH LEGISLATURE - STATE OF NEW MEXICO - 2ND SPECIAL SESSION, 2000**

INTRODUCED BY

Timothy Z. Jennings

AN ACT

RELATING TO TRADE PRACTICES; REQUIRING A PERSON WHO PLACES  
ADVERTISEMENTS THAT PROMOTE THE SALE, CONSUMPTION OR OTHER  
USE OF TOBACCO OR A TOBACCO PRODUCT TO ALSO PLACE  
ADVERTISEMENTS THAT PROMOTE THE CESSATION OF THE USE OF THE  
TOBACCO OR TOBACCO PRODUCT; PRESCRIBING PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. ADVERTISERS OF TOBACCO PRODUCTS--REQUIREMENT  
FOR CESSATION ADVERTISEMENTS--PENALTY.--

A. No person shall place advertisements on  
billboards or other signs located in New Mexico or in  
newspapers or other periodicals published in New Mexico that  
promote the sale, consumption or other use of tobacco or a  
tobacco product unless the person also places advertisements  
that promote the cessation of the use of the tobacco or  
tobacco product. The number of the advertisements that  
promote the cessation of the use of the tobacco or tobacco

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1 product shall equal no less than one-third of the number of  
2 the advertisements that promote the sale, consumption or  
3 other use of the tobacco or tobacco product. The  
4 advertisements that promote the cessation of the use of the  
5 tobacco or tobacco product shall be equal in quality and  
6 advertising medium to the advertisements that promote the  
7 sale, consumption or other use of the tobacco or tobacco  
8 product.

9 B. Upon request, the university of New Mexico  
10 health sciences center or the department of health shall, for  
11 a reasonable fee, assist an advertiser in developing  
12 advertisements for the cessation of the use of the tobacco or  
13 tobacco product.

14 C. Any person who violates the provisions of  
15 Subsection A of this section is guilty of a misdemeanor and  
16 shall be sentenced in accordance with Section 31-19-1 NMSA  
17 1978.