

**FIFTY-FOURTH LEGISLATURE
SECOND SESSION, 2020**

February 12, 2020

Mr. Speaker:

Your **TAXATION AND REVENUE COMMITTEE**, to whom has been referred

HOUSE BILL 195

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 5, lines 5 through 8, strike Subsection Q in its entirety and insert in lieu thereof the following new Subsection Q:

"Q. "retailer" means any person, partnership, joint venture, society, club, trustee, trust, association, organization or corporation that owns or operates any tobacco retail establishment engaging in the sale of tobacco products. "Retailer" does not mean the non-management employees of an owner or operator of any tobacco retail establishment;"

2. On page 9, line 9, strike "license" and insert in lieu thereof "application".

3. On page 9, line 10, strike "one thousand dollars (\$1,000)" and insert in lieu thereof "eight hundred fifty dollars (\$850)".

4. On page 9, line 10, after "location", insert "or a renewal fee not to exceed five hundred dollars (\$500) per location".

5. On page 10, line 15, strike "one thousand dollars (\$1,000)" and insert in lieu thereof "eight hundred fifty dollars (\$850)".

6. On page 10, line 15, after "location", insert "or a renewal fee not to exceed five hundred dollars (\$500) per location".

7. On page 11, line 20, strike "one thousand dollars (\$1,000)" and insert in lieu thereof "eight hundred fifty dollars (\$850) per location or a renewal fee not to exceed five hundred dollars (\$500)per location".

8. On page 12, between lines 5 and 6, insert the following new subsection:

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"A. Beginning January 1, 2021, the division shall begin issuing licenses."

9. Reletter the succeeding subsections accordingly.

10. On page 13, line 20, strike "Application" and insert in lieu thereof "All".

11. On page 14, line 18, after "municipal", insert ",tribal".

12. On page 15, line 17, strike "Subsection B" and insert in lieu thereof "Subsections B and C".

13. On page 15, between lines 23 and 24, insert the following new subsection:

"C. The sales and display of cigars may be allowed only in age-controlled locations where minors are not permitted."

14. On page 17, line 8, strike "person" and insert in lieu thereof "retailer".

15. On page 17, lines 8 and 9, strike "Sections 16 through".

16. On page 22, line 14, strike "tobacco products administration fund" and insert in lieu thereof "alcoholic beverage control division of the regulation and licensing department".

17. On page 22, line 24, after "of", insert "Sections 1 through 28 and 30 of".

18. On page 22, line 24, strike "July 1, 2020" and insert in lieu thereof "January 1, 2021".

19. On page 22, strike Section 27 in its entirety and insert in lieu thereof the following new section:

"SECTION 27. [NEW MATERIAL] PREEMPTION.--When a municipality or county, including a home rule municipality or an urban county, adopts an ordinance or a regulation pertaining to sales of tobacco products, the ordinance or regulation shall be consistent with the provisions of the Tobacco Products Act."

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Respectfully submitted,

Javier Martinez, Co-Chair

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 12 For 1 Against

Yes: 12

No: Montoya

Excused: None

Absent: None

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.217396.1

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