

**FIRST ENGROSSMENT
with Senate Amendments**

ENGROSSED HOUSE BILL NO. 1082

Introduced by

Political Subdivisions Committee

(At the request of the Attorney General)

1 A BILL for an Act to create and enact a new section to chapter 57-36 of the North Dakota
2 Century Code, relating to imported cigarettes; to amend and reenact section 57-36-07 of the
3 North Dakota Century Code, relating to the size of packages for cigarette and roll-your-own
4 tobacco sales or distribution; and to declare an emergency.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 57-36-07 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **57-36-07. Packaging - Presumption from possession.** Cigarettes must be
9 packaged as follows:

- 10 1. All cigarettes sold or distributed in this state must be in packages containing ~~five~~
11 twenty or more cigarettes each.
- 12 2. If the cigarettes are to be sold to an enrolled tribal member pursuant to section
13 57-36-11.1, within seventy-two hours of receipt by the licensee, a special stamp
14 must be affixed to each package of cigarettes indicating that it is not subject to tax.
- 15 3. Each package of cigarettes displayed, exhibited, stored, or possessed in original
16 cartons or containers upon the premises where consumer sales are made is
17 conclusively presumed to be for sale to consumers.
- 18 4. All packages of roll-your-own tobacco sold or distributed in this state must be in
19 packages containing at least 0.60 ounces of tobacco.

20 **SECTION 2.** A new section to chapter 57-36 of the North Dakota Century Code is
21 created and enacted as follows:

22 **Sale of imported cigarettes - When prohibited.** A dealer, distributor, or other person
23 may not sell or distribute in this state any tobacco product previously exported from the United
24 States.

1 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.