

Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

HOUSE BILL NO. 1082
(Political Subdivisions Committee)
(At the request of the Attorney General)

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1082 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 89 Nays 6 Absent 3

Speaker of the House

Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 45 Nays 2 Absent 2

President of the Senate

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,

at _____ o'clock _____ M.

Secretary of State