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**HOUSE JOINT RESOLUTION NO. 123**

House Amendments in [ ] — February 13, 1996

*Establishing a joint subcommittee to study underage smoking laws.*

Patrons—Almand, Connally, Crittenden, Darner, Keating, McDonnell, Moran, Morgan, Plum, Scott, Van  
Landingham and Van Yahres; Senators: Gartlan and Ticer

Referred to Committee on Rules

WHEREAS, there is no longer any debate over whether or not tobacco products should be kept away from minors; and

WHEREAS, all fifty states prohibit in some way a minor's free access to and/or possession of cigarettes and other tobacco products; and

WHEREAS, in Virginia, violation of this ban is punished under state law by civil penalties ranging from fifty dollars for first offenses to \$250 for subsequent offenses; and

WHEREAS, the ban is enforced by the attorney for the Commonwealth within each locality even though this "violation" does not result in a criminal conviction for the vendor, but is actually civil in nature; and

WHEREAS, there is a need to evaluate the effectiveness of Virginia's current laws on underage smoking and use of tobacco products; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That [ ~~there be established~~ ] a joint subcommittee [ ~~to study licensure~~ ] be established to study underage smoking laws. The joint subcommittee shall review the licensure of vendors, the implementation of the Synar amendment to the Substance Abuse and Mental Health Services Administration rules, ] and the enforcement of Virginia's laws which restrict access to and possession of cigarettes and other tobacco products by minors.

The joint subcommittee shall consist of seven members to be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House; and three members of the Senate to be appointed by the Senate Committee on Privileges and Elections.

The direct costs of this study shall not exceed \$ 5,250.

The Division of Legislative Services shall provide staff support for the study. All agencies and localities of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 1997 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

ENGROSSED

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