

1998 SESSION

INTRODUCED

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HOUSE JOINT RESOLUTION NO. 198

Offered January 26, 1998

Establishing a joint subcommittee to study the need for licensure of retailers of tobacco products as it relates to the enforcement of federal regulations and state law regarding the purchase and use of tobacco products by minors.

Patrons—Almand, Brink, Darner, Hull, Plum, Puller, Scott and Van Yahres

Referred to Committee on Rules

WHEREAS, both federal and Virginia law prohibits minors' access to or possession of cigarettes and other tobacco products; and

WHEREAS, federal Synar regulations attach federal block grant money appropriated to the Department of Mental health, Mental Retardation and Substance Abuses Services (the Department) programs to successful compliance with state and federal laws prohibiting the sale of tobacco products to minors; and

WHEREAS, presently there is no accurate listing of all retailers who sell tobacco products and, without an accurate list of retail merchants who sell tobacco products, it is not feasible to determine whether or not minors are successfully purchasing tobacco products; and

WHEREAS, effective enforcement of the laws regarding the purchase of tobacco products by minors is impeded without an accurate list of retailers; and

WHEREAS, without proper enforcement, the dollars attached to the Department's programs are in jeopardy; and

WHEREAS, the ensuing tobacco settlement between the federal government and the tobacco industry may require that states adopt mandatory licensing requirements; and

WHEREAS, the Department of Alcoholic Beverage Control is, by statute, the agency assigned to enforce these laws, and it already has an effective method of licensure for those establishments which sell alcohol; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the need for licensure of tobacco retailers in order to effectively enforce the federal regulations and state law regarding the purchase and use of tobacco products by minors. The joint subcommittee shall consist of five members to be appointed as follows: three members of the House of Delegates, to be appointed by the Speaker of the House; and two 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 1999 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.

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