

By: Senator(s) Kirby

To: Judiciary

SENATE BILL NO. 2016

1 AN ACT TO AMEND SECTION 97-32-3, MISSISSIPPI CODE OF 1972, TO
2 PROHIBIT THE SALE OR TRANSFER OF CIGARETTE ROLLING PAPERS TO
3 PERSONS UNDER 18 YEARS OF AGE; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 97-32-3, Mississippi Code of 1972, is
6 amended as follows:

7 97-32-3. For the purposes of this article:

8 (a) "Dealer" means every person, firm, corporation or
9 association of persons, except retailers as defined herein, who
10 receives the product from the manufacturer of tobacco for
11 distribution, for sale, for use, or for consumption in the State
12 of Mississippi.

13 (b) "Person" means any natural person.

14 (c) "Photographic identification" means any
15 government-issued card that includes a photograph of the person
16 seeking to purchase tobacco products and that is accepted as proof
17 of age under Mississippi law.

18 (d) "Point of sale" means a store, stand, or any other
19 place of business or point of distribution maintained by a seller
20 from which tobacco products are made available for sale or
21 distribution to consumers.

22 (e) "Retailer" includes every company, corporation,
23 partnership, business association, joint venture, estate, trust,
24 or any other combination acting as a unit or legal entity other
25 than a wholesale dealer as defined below, whose business is that
26 of selling merchandise at retail, who shall sell or offer for sale
27 tobacco to the consumer.



28 (f) "Seller" means any natural person, company,
29 corporation, firm, partnership, organization or other legal entity
30 who sells, dispenses, distributes or issues tobacco products for
31 commercial purposes.

32 (g) "Tobacco product" means any substance that contains
33 tobacco, including, but not limited to, cigarettes, cigars, pipes,
34 snuff, smoking tobacco or smokeless tobacco; "tobacco product"
35 also means cigarette rolling papers.

36 (h) "Wholesaler" includes dealers whose principal
37 business is that of wholesale dealer or jobber, who is known to
38 the retail trade as such, and whose place of business is located
39 in Mississippi or in a state which affords reciprocity to
40 wholesalers domiciled in Mississippi, who shall sell any taxable
41 tobacco to retail dealers only for the purpose of resale.

42 (i) "Retailer Tobacco Prevention Education Program"
43 includes any program authorized by the Attorney General that
44 teaches and informs retailers and wholesalers about the laws
45 regarding youth access to tobacco products.

46 **SECTION 2.** This act shall take effect and be in force from
47 and after July 1, 2002.

