ASSEMBLY AMENDMENT 1,

TO 2001 ASSEMBLY BILL 805

February 26, 2002 – Offered by Representative MILLER.

1   At the locations indicated, amend the bill as follows:

2   **1.** Page 1, line 9: after "prohibitions," insert "eliminating the liability of an

3   employee, agent, or independent contractor for selling or providing for no or nominal

4   consideration cigarettes or tobacco products to a minor,".

5   **2.** Page 4, line 5: after that line insert:

6   "**SECTION 1m.** 134.66 (2) (a) of the statutes is amended to read:

7   134.66 **(2)** (a) No retailer, manufacturer, distributor, jobber, or subjobber, no

8   agent, employee or independent contractor of a retailer, manufacturer, distributor,

9   jobber or subjobber and no agent or employee of an independent contractor may sell

10   or provide for nominal or no consideration cigarettes or tobacco products to any

11   person under the age of 18, except as provided in s. 254.92 (2) (a). A vending machine

12   operator is not liable under this paragraph for the purchase of cigarettes or tobacco

1   products from his or her vending machine by a person under the age of 18 if the

2   vending machine operator was unaware of the purchase.

3   **SECTION 1p.** 134.66 (2) (am) of the statutes is amended to read:

4   134.66 **(2)** (am) No retailer, manufacturer, distributor, jobber, <u>or</u> subjobber, ~~no~~

5   ~~agent, employee or independent contractor of a retailer, manufacturer, distributor,~~

6   ~~jobber or subjobber and no agent or employee of an independent contractor~~ may

7   provide for nominal or no consideration cigarettes or tobacco products to any person

8   except in a place where no person younger than 18 years of age is present or

9   permitted to enter unless the person who is younger than 18 years of age is

10   accompanied by his or her parent or guardian or by his or her spouse who has

11   attained the age of 18 years.".

12   **3.** Page 6, line 17: delete lines 17 to 25.

13   **4.** Page 7, line 1: delete lines 1 to 10.

14   **(END)**