

# HOUSE BILL 1253

A1, C2

2lr2268

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By: **Delegate Wilson**

Introduced and read first time: February 11, 2022

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2022

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Alcohol and Tobacco Commission – Clarifications**

3 FOR the purpose of updating certain statutory references to the authority of the Alcohol  
4 and Tobacco Commission and its Executive Director; clarifying certain authority of  
5 the Commission and the Executive Director to regulate and enforce certain matters  
6 relating to certain products and the tobacco tax; authorizing the Executive Director  
7 to enter into certain memoranda of understanding and agreements; clarifying the  
8 application of certain requirements to certain premises; and generally relating to the  
9 Alcohol and Tobacco Commission.

10 BY repealing and reenacting, with amendments,

11 Article – Alcoholic Beverages

12 Section 1–201(a)(1), 1–304, 1–311, 1–317(a), ~~and 1–321~~, and 4–505(b)(1)

13 Annotated Code of Maryland

14 (2016 Volume and 2021 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article – Alcoholic Beverages

17 Section 1–314 and 1–315

18 Annotated Code of Maryland

19 (2016 Volume and 2021 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article – Business Regulation

22 Section 16–101(a) and (d)

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2015 Replacement Volume and 2021 Supplement)

3 BY repealing and reenacting, with amendments,  
4 Article – Business Regulation  
5 Section 16–208(c)(1), 16–501, 16–506(b) and (d), 16–507, 16–508(b), 16–601,  
6 16–602(a), (c), (g), (i), and (k), 16–602.1(c), 16–603(a) and (c), 16–604(d),  
7 16–605(c), 16–607, and 16–609  
8 Annotated Code of Maryland  
9 (2015 Replacement Volume and 2021 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
11 That the Laws of Maryland read as follows:

12 **Article – Alcoholic Beverages**

13 1–201.

14 (a) (1) (i) To obtain respect and obedience to law and to foster and promote  
15 temperance, it is the policy of the State to regulate and control:

16 1. the manufacture, sale, distribution, transportation, and  
17 storage of alcoholic beverages in the State; and

18 2. the transportation and distribution of alcoholic beverages  
19 into and out of the State.

20 (ii) To carry out this policy in the best public interest, it is the intent  
21 of the General Assembly that the [Comptroller] **COMMISSION, EXECUTIVE DIRECTOR,**  
22 local licensing boards, liquor control boards, enforcement officers, and judges of the courts  
23 of the State be empowered to administer and enforce this article.

24 1–304.

25 (a) A member of the Commission may not:

26 (1) have a direct or indirect financial interest, ownership, or management,  
27 including holding any stocks, bonds, or other similar financial interests, in the alcohol or  
28 tobacco industries;

29 (2) have an official relationship to a person who holds a license or permit  
30 under this article or Title 16, Title 16.5, [or] Title 16.7, **OR TITLE 16.9** of the Business  
31 Regulation Article;

32 (3) be an elected official;

1 (4) receive or share in, directly or indirectly, the receipts or proceeds of any  
2 activities conducted in the alcohol or tobacco industries;

3 (5) have a beneficial interest in any contract for the manufacture or sale of  
4 any device or product or the provision of any independent consulting services in connection  
5 with a holder of a license or permit issued under this article or Title 16, Title 16.5, [or] Title  
6 16.7, **OR TITLE 16.9** of the Business Regulation Article; or

7 (6) accept a contribution of money or property worth at least \$100 from an  
8 entity or individual associated with the alcohol or tobacco industries with respect to the  
9 regulation of alcohol or tobacco.

10 (b) A member of the Commission shall file a financial disclosure statement with  
11 the State Ethics Commission in accordance with Title 5, Subtitle 6 of the General  
12 Provisions Article.

13 1-311.

14 (a) The Executive Director shall adopt regulations to discharge the duties under:

15 (1) this article; and

16 (2) Titles 16, 16.5, [and] 16.7, **AND 16.9** of the Business Regulation Article.

17 (b) The Executive Director may adopt regulations regarding:

18 (1) labeling and advertising similar to the regulations adopted by the  
19 Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the  
20 Treasury;

21 (2) nature, form, and capacity of containers;

22 (3) credit sales;

23 (4) records to be kept by license holders and others engaged in the business;

24 (5) the amount of deposit on returnable beer containers that  
25 manufacturers and wholesalers of beer charge and collect; and

26 (6) any other subject the Executive Director considers necessary for the  
27 proper administration of the duties of the Executive Director under this article, Title 16,  
28 Title 16.5, [or] Title 16.7, **OR TITLE 16.9** of the Business Regulation Article, or the  
29 provisions of the Tax – General Article relating to the alcoholic beverage tax **OR THE**  
30 **TOBACCO TAX**.

1 (c) (1) Any violation of a regulation adopted by the Executive Director under  
2 this article, Title 16, Title 16.5, [or] Title 16.7, **OR TITLE 16.9** of the Business Regulation  
3 Article, or the provisions of the Tax – General Article relating to the alcoholic beverage tax  
4 **OR THE TOBACCO TAX** is grounds to revoke or suspend a license.

5 (2) The violator is subject to the penalties provided under § 6–402(a) of this  
6 article.

7 1–314.

8 The Executive Director may delegate authority under this article, provisions of the  
9 Tax – General Article relating to alcoholic beverages and tobacco, and provisions of the  
10 Business Regulation Article relating to tobacco to the Division director to issue or refuse to  
11 issue licenses and permits.

12 1–315.

13 (a) Except as provided in subsection (b) of this section, the Executive Director  
14 may delegate authority to conduct hearings on violations of this article or of any regulations  
15 adopted under this article, the provisions of the Tax – General Article relating to alcoholic  
16 beverages or tobacco, or the provisions of the Business Regulation Article relating to tobacco  
17 to the Division director or any other employee of the Executive Director’s office.

18 (b) The Division director or any other employee of the Executive Director’s office  
19 delegated authority to conduct hearings under subsection (a) of this section:

20 (1) may not impose a penalty provided for under this article or a provision  
21 of the Tax – General Article relating to alcoholic beverages; and

22 (2) shall report the findings and recommendations to the Executive  
23 Director to take the action that the Executive Director considers appropriate.

24 1–317.

25 (a) The Executive Director shall:

26 (1) maintain a record of:

27 (i) each license issued or approved under this article and Titles 16,  
28 16.5, [and] 16.7, **AND 16.9** of the Business Regulation Article; and

29 (ii) any revocation, suspension, or cancellation of a license and any  
30 restriction imposed on a license with a brief explanation of the reason for the action; and

31 (2) allow any person to inspect the records at the Office of the Executive  
32 Director during regular business hours.

1 1-321.

2 (a) In order to increase efficiency and accuracy in the performance of their  
3 respective duties and responsibilities under this article and other laws relating to alcohol  
4 and tobacco, the Commission and the Comptroller shall:

5 (1) cooperate and share information and personnel in investigations of  
6 licensed premises and other locations and materials relating to the enforcement of the  
7 alcohol and tobacco laws of the State;

8 (2) cooperate and share information and personnel in other matters  
9 relating to the manufacture, processing, importation, taxation, sale, and service of alcohol  
10 and tobacco in the State; and

11 (3) enter into a memorandum of understanding for cooperative activities in  
12 inspections and other enforcement activities relating to the alcohol and tobacco laws of the  
13 State.

14 (b) (1) The Commission may enter into memoranda of understanding and  
15 other cooperative arrangements with federal, State, and local governmental units in  
16 carrying out this article and other alcohol and tobacco laws of the State in the interest of  
17 reducing duplication of efforts and reducing the overall costs of administration of inspection  
18 and enforcement programs to the State.

19 (2) **THE EXECUTIVE DIRECTOR MAY ALSO ENTER INTO MEMORANDA**  
20 **OF UNDERSTANDING AND OTHER COOPERATIVE ARRANGEMENTS WITH FEDERAL,**  
21 **STATE, AND LOCAL GOVERNMENTAL UNITS TO ADDRESS OPERATIONAL MATTERS**  
22 **AND EFFICIENCIES IN CARRYING OUT THIS ARTICLE AND OTHER ALCOHOL AND**  
23 **TOBACCO LAWS OF THE STATE.**

24 4-505.

25 (b) (1) This section applies to:

26 (i) a [licensed] premises [that sells] LICENSED TO SELL alcoholic  
27 beverages [to a customer from a bar or service bar on the premises] FOR ON-PREMISES  
28 CONSUMPTION;

29 (ii) a premises licensed to sell alcoholic beverages for off-premises  
30 consumption; and

31 (iii) an unlicensed establishment in a jurisdiction that requires a  
32 worker, a supervisor, or an owner of an unlicensed establishment to receive alcohol  
33 awareness training.

34 **Article – Business Regulation**

1 16–101.

2 (a) In this title the following words have the meanings indicated.

3 (d) “Executive Director” means the Executive Director of the Alcohol and Tobacco  
4 Commission.

5 16–208.

6 (c) (1) If a licensed subwholesaler or licensed wholesaler surrenders the  
7 license to the [Comptroller] **EXECUTIVE DIRECTOR** and if no disciplinary proceedings are  
8 pending against the licensee, the Executive Director shall refund a pro rata part of the  
9 license fee for the unexpired term of the license.

10 16–501.

11 (a) In this subtitle the following words have the meanings indicated.

12 (b) (1) “Brand family” means all styles of cigarettes sold under the same  
13 trademark, regardless of whether the cigarettes are differentiated from one another by  
14 means of additional modifiers or descriptors such as “menthol”, “lights”, “kings”, “100s”, or  
15 other differentiation.

16 (2) “Brand family” includes any use of a brand name (alone or in  
17 conjunction with any other word) trademark, logo, symbol, motto, selling message,  
18 recognizable pattern of colors, or any other indicia of product identification identical or  
19 similar to, or identifiable with, a previously known brand of cigarettes.

20 (c) “Cigarette” has the meaning stated in § 16–402(e) of this title (the Escrow  
21 Act).

22 (d) “Comptroller” means the Comptroller of the State or any authorized agent of  
23 the Comptroller who is responsible for collection of the excise tax on cigarettes.

24 (e) “Escrow Act” means Subtitle 4 of this title.

25 (f) **“EXECUTIVE DIRECTOR” INCLUDES AN AGENT OR EMPLOYEE OF THE**  
26 **ALCOHOL AND TOBACCO COMMISSION RESPONSIBLE FOR THE ENFORCEMENT OF**  
27 **STATE TOBACCO LAWS AND REGULATIONS.**

28 (G) “Licensed wholesaler” means a wholesaler who is licensed under Subtitle 2 of  
29 this title to act as a wholesaler and any person who is an authorized agent of the licensed  
30 wholesaler for the stamping and distribution of cigarettes.

1            [(g)] (H)      “Master Settlement Agreement” has the meaning stated in § 16–402(f)  
2 of this title (the Escrow Act).

3            [(h)] (I)      “Nonparticipating manufacturer” means any tobacco product  
4 manufacturer that is not a participating manufacturer.

5            [(i)] (J)      “Participating manufacturer” has the meaning stated in section II(jj) of  
6 the Master Settlement Agreement and all amendments to the Agreement.

7            [(j)] (K)      “Qualified escrow fund” has the meaning stated in § 16–402(g) of this  
8 title (the Escrow Act).

9            [(k)] (L)      “Tobacco product manufacturer” has the meaning stated in § 16–402(j)  
10 of this title (the Escrow Act).

11           [(l)] (M)      “Units sold” has the meaning stated in § 16–402(k) of this title (the  
12 Escrow Act).

13 16–506.

14           (b) (1)      The Comptroller may disclose to the Attorney General **AND THE**  
15 **EXECUTIVE DIRECTOR** any information received under this subtitle and requested by the  
16 Attorney General **OR THE EXECUTIVE DIRECTOR** for purposes of determining compliance  
17 with and enforcement of the provisions of this subtitle.

18           (2)      The Comptroller [and], the Attorney General, **AND THE EXECUTIVE**  
19 **DIRECTOR** shall share with each other the information received under this subtitle and  
20 may share the information with other federal, State, or local agencies only for purposes of  
21 enforcement of this subtitle, the Escrow Act, or corresponding laws of other states.

22           (d)      In addition to any other information required to be submitted by law, the  
23 Comptroller [or], the Attorney General, **OR THE EXECUTIVE DIRECTOR** may require a  
24 licensed wholesaler or tobacco product manufacturer to submit any additional information,  
25 including samples of the packaging or labeling of each brand family, as is necessary to  
26 enable the Attorney General to determine whether a tobacco product manufacturer is in  
27 compliance with this subtitle.

28 16–507.

29           (a) (1)      In addition to or instead of any other civil or criminal remedy provided  
30 by law, on a determination that a licensed wholesaler has violated § 16–504(c) or §  
31 16–506(a) of this subtitle or any regulation adopted under this subtitle, the [Comptroller]  
32 **EXECUTIVE DIRECTOR** may revoke or suspend the license of any licensed wholesaler in  
33 the manner provided under §§ 16–211 and 16–212 of this title.

1 (2) Each stamp affixed and each offer to sell cigarettes in violation of §  
2 16-504(c) of this subtitle shall constitute a separate violation.

3 (3) The [Comptroller] **EXECUTIVE DIRECTOR** may also impose a civil  
4 penalty in an amount not to exceed the greater of 500% of the retail value of the cigarettes  
5 sold or \$5,000 on a determination of violation of § 16-504(c) of this subtitle or any  
6 regulations adopted under that section.

7 (b) (1) Any cigarettes that have been sold, offered for sale or possessed for sale  
8 in this State, or imported for personal consumption in this State in violation of § 16-504(c)  
9 of this subtitle shall be deemed contraband under §§ 13-836, 13-837, and 13-839 of the  
10 Tax – General Article, and those cigarettes shall be subject to seizure and forfeiture as  
11 provided in those sections.

12 (2) All cigarettes seized and forfeited may not be resold and shall be  
13 destroyed.

14 (c) (1) The Attorney General, on behalf of the Comptroller **OR THE**  
15 **EXECUTIVE DIRECTOR**, may seek an injunction to restrain a threatened or actual  
16 violation of § 16-504(c), § 16-506(a), or § 16-506(d) of this subtitle by a licensed wholesaler  
17 and compel the licensed wholesaler to comply with those sections.

18 (2) In any action brought under this section, the State shall be entitled to  
19 recover the costs of investigation, costs of the action, and reasonable attorney's fees.

20 (d) A person who sells, distributes, acquires, holds, owns, possesses, transports,  
21 imports, or causes to be imported, cigarettes that the person knows or should know are  
22 intended for distribution or sale in the State in violation of § 16-504(c) of this subtitle is  
23 guilty of a misdemeanor, and on conviction is subject to a fine not exceeding \$5,000 or  
24 imprisonment not exceeding 1 year or both.

25 16-508.

26 (b) The Attorney General [and], the Comptroller, **AND THE EXECUTIVE**  
27 **DIRECTOR** may adopt regulations [necessary] to [effectuate the purposes of] **CARRY OUT**  
28 this subtitle.

29 16-601.

30 (a) In this subtitle the following words have the meanings indicated.

31 (b) "Cigarette" has the meaning stated in § 16-101 of this title.

32 (c) ["Commission" means the State Fire Prevention Commission.



1           (d) “Consumer testing” means an assessment of cigarettes that is conducted by a  
2 manufacturer or conducted under the control and direction of a manufacturer for the  
3 purpose of evaluating consumer acceptance of the cigarettes by using only the quantity of  
4 cigarettes that is reasonably necessary for the assessment.

5           [(e)] (D) “Manufacturer” has the meaning stated in § 16–201 of this title.

6           [(f)] (E) “Quality control and quality assurance program” means laboratory  
7 procedures implemented to ensure that:

8                   (1) operator bias, systematic and nonsystematic methodological errors, and  
9 equipment–related problems do not affect the results of the testing; and

10                   (2) the testing repeatability remains within the required repeatability  
11 value for any test trial used to certify cigarettes under this subtitle.

12           [(g)] (F) “Repeatability” means the range of values within which the repeat  
13 results of cigarette test trials from a single laboratory fall 95% of the time.

14           [(h)] (G) “Retailer” has the meaning stated in § 16–201 of this title.

15           [(i)] (H) (1) “Sale” means the exchange or transfer, or the agreement to  
16 exchange or transfer, title or possession of property in any manner or by any means for  
17 consideration.

18                   (2) “Sale” includes:

19                           (i) the giving or distribution of cigarettes as samples, prizes, gifts,  
20 or in connection with consumer testing; and

21                           (ii) the exchange of cigarettes for any consideration other than  
22 money.

23           [(j)] (I) “Subwholesaler” has the meaning stated in § 16–201 of this title.

24           [(k)] (J) “Vending machine operator” has the meaning stated in § 16–201 of this  
25 title.

26           [(l)] (K) “Wholesaler” has the meaning stated in § 16–201 of this title.

27 16–602.

28           (a) Except as provided in § 16–602.1 of this subtitle, cigarettes may not be  
29 manufactured in this State or sold or offered for sale to any person in this State unless:

1 (1) the cigarettes have been tested in accordance with the test method and  
2 meet the performance standard specified in this section; and

3 (2) the manufacturer has filed a written certification with the  
4 [Comptroller] **EXECUTIVE DIRECTOR** in accordance with § 16–603 of this subtitle.

5 (c) (1) Testing of cigarettes shall be conducted in accordance with the  
6 American Society of Testing and Materials (ASTM) standard E2187–04 “Standard Test  
7 Method for Measuring the Ignition Strength of Cigarettes”.

8 (2) The [Comptroller] **EXECUTIVE DIRECTOR**, in consultation with the  
9 **STATE FIRE PREVENTION** Commission, may adopt a subsequent ASTM standard test  
10 method for measuring the ignition strength of cigarettes on a finding that the subsequent  
11 method does not result in a change in the percentage of full-length burns exhibited by any  
12 tested cigarette when compared to the percentage of full-length burns the same cigarette  
13 would exhibit when tested in accordance with ASTM standard E2187–04 and the  
14 performance standard of this section.

15 (g) (1) Each laboratory that conducts tests in accordance with this section  
16 shall:

17 (i) have current accreditation pursuant to Standard ISO/IEC 17025  
18 of the International Organization for Standardization, subsequent laboratory  
19 standardization, or another comparable accreditation as determined by the [Comptroller]  
20 **EXECUTIVE DIRECTOR**; and

21 (ii) implement a quality control and quality assurance program that  
22 includes a procedure to determine the repeatability of the testing results.

23 (2) The repeatability value shall be no greater than 0.19.

24 (i) (1) If the [Comptroller] **EXECUTIVE DIRECTOR** determines that a  
25 cigarette cannot be tested in accordance with the test method required by this section, the  
26 manufacturer of the cigarette shall propose to the [Comptroller] **EXECUTIVE DIRECTOR**  
27 a test method and performance standard for that cigarette.

28 (2) The [Comptroller] **EXECUTIVE DIRECTOR**, in consultation with the  
29 **STATE FIRE PREVENTION** Commission, may approve a test method and performance  
30 standard that the [Comptroller] **EXECUTIVE DIRECTOR** determines is equivalent to the  
31 requirements of this section, and the manufacturer may use that test method and  
32 performance standard for certification of a cigarette in accordance with § 16–603 of this  
33 subtitle.

34 (3) (i) The [Comptroller] **EXECUTIVE DIRECTOR**, in consultation  
35 with the **STATE FIRE PREVENTION** Commission, shall approve a test method and

1 performance standard used in another state if the [Comptroller] **EXECUTIVE DIRECTOR**  
2 determines that:

3 1. the other state has enacted a reduced cigarette ignition  
4 propensity standard that includes a test method and performance standard that are the  
5 same as the requirements of this section; and

6 2. the officials responsible for implementing the  
7 requirements in the other state have approved of the alternative test method and  
8 performance standard for a particular cigarette under a legal provision comparable to this  
9 section.

10 (ii) A manufacturer may use a test method and performance  
11 standard approved under subparagraph (i) of this paragraph for certification in accordance  
12 with § 16–603 of this subtitle of the cigarette used in the approved test method.

13 (k) (1) Each manufacturer shall retain copies of the reports of all tests  
14 conducted on all cigarettes offered for sale for 3 years.

15 (2) (i) On request, the manufacturer shall provide the data retained  
16 under paragraph (1) of this subsection to the [Comptroller] **EXECUTIVE DIRECTOR**, the  
17 **STATE FIRE PREVENTION** Commission, or the Attorney General within 60 days after  
18 receiving the request, for the purpose of ensuring compliance with this section.

19 (ii) A manufacturer who does not provide the data within 60 days of  
20 a request is subject to a civil penalty not to exceed \$10,000 for each day after the 60th day  
21 that the violation continues.

22 16–602.1.

23 (c) (1) (i) The manufacturer may submit to the [Comptroller] **EXECUTIVE**  
24 **DIRECTOR**, as “confidential under seal”, descriptors for each cigarette sold or distributed  
25 for the purpose of consumer testing under subsection (b)(1) of this section.

26 (ii) Descriptors shall include brand, style, length, circumference,  
27 flavor, and package.

28 (2) Notwithstanding any other provision of law, the information submitted  
29 in accordance with paragraph (1) of this subsection:

30 (i) is not subject to disclosure under State law or discovery in civil  
31 litigation; and

32 (ii) may be used by the [Comptroller] **EXECUTIVE DIRECTOR** or  
33 the Attorney General for the purpose of enforcing the provisions of this title.

1 16-603.

2 (a) (1) Each manufacturer shall submit to the [Comptroller] **EXECUTIVE**  
3 **DIRECTOR** written certification attesting that each cigarette has been tested in accordance  
4 with and has met the performance standard required under § 16-602 of this subtitle.

5 (2) A certification under paragraph (1) of this subsection may not list more  
6 than 50 cigarettes.

7 (c) The certification shall be made available to:

8 (1) the Attorney General and the **STATE FIRE PREVENTION** Commission  
9 for purposes consistent with this subtitle; and

10 (2) the [Comptroller] **EXECUTIVE DIRECTOR** for the purpose of ensuring  
11 compliance with this section.

12 16-604.

13 (d) (1) A manufacturer shall request approval of a proposed marking from the  
14 [Comptroller] **EXECUTIVE DIRECTOR**.

15 (2) (i) The [Comptroller] **EXECUTIVE DIRECTOR** shall approve a  
16 marking specified in subsection (b)(1) of this section.

17 (ii) A marking is deemed approved if the [Comptroller] **EXECUTIVE**  
18 **DIRECTOR** fails to act within 10 business days after receiving a request for approval.

19 (3) A manufacturer may not use a modified marking unless the  
20 modification has been approved in accordance with this section.

21 (4) A manufacturer shall use only one marking on all brands that the  
22 manufacturer markets.

23 (5) A marking or modified marking approved by the [Comptroller]  
24 **EXECUTIVE DIRECTOR** shall be applied uniformly on all brands marketed and on all  
25 packages, including packs, cartons, and cases marketed by that manufacturer.

26 16-605.

27 (c) Each retailer, subwholesaler, vending machine operator, and wholesaler shall  
28 allow the [Comptroller] **EXECUTIVE DIRECTOR** or designee of the [Comptroller]  
29 **EXECUTIVE DIRECTOR** to inspect the markings on cigarette packaging at any time.

30 16-607.

1 The [Comptroller] **EXECUTIVE DIRECTOR**:

2 (1) may adopt regulations necessary to carry out and administer this  
3 subtitle;

4 (2) in consultation with the **STATE FIRE PREVENTION** Commission, may  
5 adopt regulations for the conduct of random inspections of retailers, subwholesalers,  
6 vending machine operators, and wholesalers to ensure compliance with this subtitle; and

7 (3) may establish a \$250 fee for each certification required under § 16–603  
8 of this subtitle to cover the expenses of administering this subtitle.

9 16–609.

10 (a) To enforce this subtitle:

11 (1) the Attorney General may bring an action to enjoin any acts in violation  
12 of this subtitle and to recover civil penalties authorized under § 16–608 of this subtitle; or

13 (2) the Attorney General or the [Comptroller] **EXECUTIVE DIRECTOR**  
14 may examine the books, papers, invoices, and records of a person in possession, control, or  
15 occupancy of a building, structure, or land where cigarettes are placed, stored, sold, or  
16 offered for sale.

17 (b) Money collected from civil penalties recovered under this section shall be  
18 distributed to the Senator William H. Amoss Fire, Rescue, and Ambulance Fund.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
20 1, 2022.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.