



**House
Legislative
Analysis
Section**

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RESTRICT TOBACCO DIST.

House Bill 4448
Sponsor: Rep. Jessie Dalman
Committee: Public Health

Complete to 6-7-93

A SUMMARY OF HOUSE BILL 4448 AS INTRODUCED 3-4-93

Public Act 273 of 1992 (enrolled House Bill 5646) added a new section to the Michigan Penal Code (Public Act 328 of 1931) to prohibit, under certain circumstances, the sale or distribution of tobacco products through the mail to people who had not previously paid for the product. However, the sale or distribution of tobacco products through the mail is allowed in response to a consumer complaint or as part of a direct mail marketing service to specifically named people who return an authorization card (which says that the recipient is at least 18 years old) to the tobacco company. The bill would delete this part of the act and raise the maximum fine for violating the provisions on handing out tobacco products.

Under the act, tobacco retailers may hand out, unsolicited, tobacco products if the distributor "ascertains" that the recipient (who must be physically present) is at least 18 years old. Currently, the maximum fine for violations of these provisions is \$500. The bill would raise the maximum fine to \$1,000.

MCL 750.42b

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