

1 H.570

2 Introduced by Representative Myers of Essex

3 Referred to Committee on

4 Date:

5 Subject: Alcoholic beverages; tobacco products; tobacco licensing

6 Statement of purpose of bill as introduced: This bill proposes to transfer the
7 authority from the Department of Liquor Control to the local legislative body
8 of a municipality to issue tobacco licenses.

9 An act relating to tobacco licensing

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 7 V.S.A. chapter 40 is amended to read:

12 CHAPTER 40. TOBACCO PRODUCTS

13 § 1001. DEFINITIONS

14 As used in this chapter:

15 * * *

16 (5) "Tobacco license" means a license issued by the ~~Department of~~
17 ~~Liquor Control~~ legislative body of a municipality under this chapter permitting
18 the licensee to engage in the retail sale of tobacco products or locate a vending
19 machine on the premises identified in the license.

20 * * *

1 § 1002. LICENSE REQUIRED; APPLICATION; FEE; ISSUANCE

2 (a) No person shall engage in the retail sale of tobacco products, tobacco
3 substitutes, or tobacco paraphernalia or provide a vending machine for their
4 sale in his or her place of business without a tobacco license obtained from the
5 ~~Department of Liquor Control~~ legislative body of the municipality where the
6 products are to be sold. Tobacco licenses shall expire midnight, April 30, of
7 each year.

8 * * *

9 (d) A person applying simultaneously for a tobacco license and a liquor
10 license shall apply to the legislative body of the municipality and shall pay to
11 the Department only the fee required to obtain the liquor license. A person
12 applying for a tobacco license only shall submit a fee of \$100.00 to the
13 legislative body of the municipality for each tobacco license or renewal. The
14 municipal clerk shall forward the application to the Department, and the
15 Department shall issue the tobacco license. The tobacco license fee shall be
16 forwarded to the Commissioner for deposit in the Liquor Control Enterprise
17 Fund.

18 * * *

19 (h) On or before the 15th of each month, the city or town clerk shall submit
20 to the Board the names, addresses, and license numbers of all persons to whom
21 a tobacco license was issued during the previous month. Each year, on or

1 before May 15, the city or town clerk shall submit to the Board a list of all
2 tobacco licenses that have been renewed for that year.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2014.