

1           \* \* \* Manufacturer Registration Fee; Tobacco Substitutes \* \* \*

2       Sec. 41. 7 V.S.A. § 1013 is added to read:

3       § 1013. MANUFACTURER REGISTRATION FEE; TOBACCO  
4       SUBSTITUTES

5           (a) As used in this section:

6               (1)(A) “Brand” means a corporate or product name, a business image, or  
7               a mark, regardless of whether it may legally qualify as a trademark used by a  
8               manufacturer to identify goods and to distinguish them from competitors’  
9               goods.

10               (B) “Brand” does not mean individual product flavors.

11               (2) “Tobacco substitute” shall have the same meaning as in 7 V.S.A. §  
12               1001.

13               (3) “Manufacturer” means any person or a successor that manufactures  
14               or produces tobacco substitutes or causes tobacco substitutes to be  
15               manufactured or produced, whether in State or out of State, and intends to sell  
16               the tobacco substitutes in Vermont directly or through an importer, including  
17               any first purchaser that intends to resell tobacco substitutes.

18               (b) No person shall manufacture tobacco substitutes for sale in this State  
19               unless that person has first paid an annual registration fee of \$1,000.00 per  
20               brand and filed with the Department of Liquor Control, in a form and manner  
21               prescribed by the Commissioner:

- 1           (1) the name of the manufacturer;
- 2           (2) the manufacturer’s place of business;
- 3           (3) the location of each manufacturing facility; and
- 4           (4) any other information that the Commissioner considers to be  
5           necessary.

6           (c) Fees imposed under this section shall be due and payable on October 1  
7           of each year.

8           (d) Fees collected under this section shall be deposited in the Liquor  
9           Control Enterprise Fund.

10        Sec. 42. 7 V.S.A. § 1002a is amended to read:

11        § 1002a. LICENSEE EDUCATION

12           (a) An applicant for a tobacco license that does not hold a liquor license  
13           issued under this title shall be granted a tobacco license pursuant to section  
14           1002 of this title only after the applicant has ~~met with a liquor control~~  
15           ~~investigator~~ attended a Department of Liquor Control in-person seminar or  
16           completed the appropriate Department of Liquor Control online training  
17           program for the purpose of being informed about the Vermont tobacco laws  
18           pertaining to the purchase, storage, and sale of tobacco products. A  
19           corporation, partnership or association shall designate a director, partner, or  
20           manager to comply with the requirements of this subsection.