

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 17, 2016

Date

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

HB16-1150 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 3, before "(4)" insert "(2), (3), and".

2 Page 2, strike lines 4 and 5 and substitute:

3 **"25-14-301. Possession of cigarettes, tobacco products, or**
4 **nicotine products by a person under eighteen prohibited - definitions.**

5 (2) (a) Possession of a cigarette, ~~or~~ tobacco product, OR NICOTINE
6 PRODUCT by a person who is under eighteen years of age is prohibited.

7 (b) It ~~shall~~ IS not ~~be~~ an offense under paragraph (a) of this
8 subsection (2) if the person under eighteen years of age was acting at the
9 direction of an employee of a governmental agency authorized to enforce
10 or ensure compliance with laws relating to the prohibition of the sale of
11 cigarettes, ~~and~~ tobacco products, AND NICOTINE PRODUCTS to minors.

12 (3) As used in this section, unless the context otherwise requires:

13 (a) ~~"Cigarette" shall have the same meaning as set forth in section~~
14 ~~39-28-202 (4), C.R.S.~~

15 (b) "Possession" means that a person:

16 (I) Has or holds any amount of cigarettes, ~~or~~ tobacco products, OR
17 NICOTINE PRODUCTS anywhere on his or her person;

18 (II) Owns or has custody of cigarettes, ~~or~~ tobacco products, OR
19 NICOTINE PRODUCTS; or

20 (III) Has cigarettes, ~~or~~ tobacco products, OR NICOTINE PRODUCTS
21 within his or her immediate presence and control.

22 (c) ~~"CIGARETTE, tobacco product, OR NICOTINE PRODUCT" shall~~
23 ~~have~~ the same meaning as set forth in section 18-13-121 (5), C.R.S.

- 1 (4) Nothing in this".
- 2 Page 2, line 8, strike "cigarettes or tobacco products" and substitute
- 3 "cigarettes, ~~or~~ tobacco products, OR NICOTINE PRODUCTS".

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