

Regular Session, 2013

# ACT No. 147

HOUSE BILL NO. 300

BY REPRESENTATIVE COX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 40:1601(A) and to repeal R.S. 40:1601(C)(3), relative to novelty lighters; to provide for definitions and application; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1601(A) is hereby amended and reenacted to read as follows:

§1601. Novelty lighters

A. For the purposes of this Section, the following definitions shall apply unless otherwise indicated:

(1) ~~"Lighter" or "cigarette lighter" means a flame-producing product commonly used by consumers to ignite cigarettes, cigars, and pipes, although the lighter may be used to ignite other materials. The term does not include matches or any other lighting device intended primarily for igniting materials other than smoking materials, such as fuel for fireplaces or for charcoal or gas-fired grills.~~  
means a flame-producing device commonly used by consumers to ignite tobacco products and mechanical devices primarily used to ignite fuel for fireplaces or for charcoal or gas grills. The term does not include matches. This term includes novelty lighters.

(2) ~~"Novelty lighter" means a mechanical or electrical device typically used for the igniting or lighting of cigarettes, cigars, or pipes~~ lighter that has a toylike appearance, has entertaining audio or visual effects, or resembles in any way in form or function an item that is commonly recognized as appealing, attractive, or intended for use by young children, particularly those ten years of age or younger, including such a device that takes toylike physical forms, including but not limited to toy

1 animals, cartoon characters, cars, boats, airplanes, common household items,  
 2 weapons, cell phones, batteries, food, beverages, musical instruments, and watches  
 3 or has flashing lights or other entertaining features. Novelty lighters may operate on  
 4 any fuel, including butane or liquid fuel.

5 \* \* \*

6 Section 2. R.S. 40:1601(C)(3) is hereby repealed in its entirety.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_