

Regular Session, 2010

HOUSE BILL NO. 943

BY REPRESENTATIVE LEGER

FIRE PROTECTION: Provides relative to fire safe cigarette certification

1 AN ACT

2 To amend and reenact R.S. 13:5073(A) and (B)(introductory paragraph), relative to  
3 cigarettes; to require certification to the attorney general of compliance with the  
4 "Cigarette Fire Safety and Firefighter Protection Act"; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:5073(A) and (B)(introductory paragraph) are hereby amended and  
8 reenacted to read as follows:

9 §5073. Certifications; directory; tax stamps

10 A.(1) Every tobacco product manufacturer whose cigarettes are sold in this  
11 state, whether directly or through a distributor, retailer, or similar intermediary or  
12 intermediaries, shall execute and deliver on a form prescribed by the attorney general  
13 a certification to the secretary and attorney general, no later than the thirtieth day of  
14 April each year, certifying under penalty of perjury that, as of the date of such  
15 certification, such tobacco product manufacturer either: is a participating  
16 manufacturer; or is in full compliance with R.S. 13:5061 et seq., including all  
17 installment payments required by R.S. 13:5075(E). Both a participating  
18 manufacturer and a nonparticipating manufacturer shall also certify compliance with  
19 the "Cigarette Fire Safety and Firefighter Protection Act", R.S. 40:1626 et seq.

20 \* \* \*

1           B. ~~Not later than ninety days after June 25, 2004, the~~ The attorney general  
2           shall develop and make available for public inspection or publish on its website a  
3           directory listing all tobacco product manufacturers that have provided current and  
4           accurate certifications conforming to the requirements of Subsection A of this  
5           Section and all brand families, including country of origin, that are listed in such  
6           certifications (the directory), except as noted below. No participating manufacturer  
7           or nonparticipating manufacturer shall be included or retained in the directory  
8           without certification of compliance with the "Cigarette Fire Safety and Firefighter  
9           Protection Act", R.S. 40:1626 et seq.

10   \*       \*       \*

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Leger

HB No. 943

**Abstract:** Requires every tobacco product manufacturer whose cigarettes are sold in this state to provide the attorney general with certification of compliance with the "Cigarette Fire Safety and Firefighter Protection Act".

Present law requires every tobacco product manufacturer whose cigarettes are sold in this state, whether directly or through a distributor, retailer, or similar intermediary or intermediaries, shall execute and deliver on a form prescribed by the attorney general a certification to the Dept. of Revenue and attorney general, no later than the 30th day of April each year, certifying under penalty of perjury that, as of the date of such certification, such tobacco product manufacturer either: is a participating manufacturer; or is in full compliance with the tobacco Master Settlement Agreement, including all installment payments required by present law.

Proposed law extends present law to require both a participating manufacturer and a nonparticipating manufacturer to also certify compliance with the "Cigarette Fire Safety and Firefighter Protection Act".

Present law requires the attorney general to develop and make available for public inspection or publish on its website a directory listing all tobacco product manufacturers that have provided current and accurate certifications conforming to the requirements of present law and all brand families, including country of origin, that are listed in such certifications (the directory), except as noted in present law.

Proposed law provides that no participating manufacturer or nonparticipating manufacturer shall be included or retained in the directory without certification of compliance with the "Cigarette Fire Safety and Firefighter Protection Act", R.S. 40:1626 et seq.

(Amends R.S. 13:5073(A) and (B)(intro. para.))

