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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2682

03/08/2023

Authored by Nash

The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act  
1.2 relating to tobacco products; permitting the sale of premium cigars from a movable  
1.3 place of business in certain circumstances; amending Minnesota Statutes 2022,  
1.4 section 461.21.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 461.21, is amended to read:

1.7 **461.21 KIOSK SALES PROHIBITED; EXCEPTION.**

1.8 (a) Except as provided in paragraph (b), no person shall sell tobacco, tobacco-related  
1.9 devices, or electronic delivery devices as defined in section 609.685, subdivision 1, or  
1.10 nicotine or lobelia delivery products as described in section 609.6855, from a movable place  
1.11 of business. For the purposes of this section, a movable place of business means any retail  
1.12 business whose physical location is not permanent, including, but not limited to, any retail  
1.13 business that is operated from a kiosk, other transportable structure, or a motorized or  
1.14 nonmotorized vehicle.

1.15 (b) A person with a distributor license issued under chapter 297F for at least five  
1.16 consecutive years may sell premium cigars from a movable place of business and provide  
1.17 on-site demonstrations of premium cigar manufacturing and cultural education from the  
1.18 movable place of business. A person to whom this paragraph applies is not required to obtain  
1.19 a separate license under chapter 297F for the movable place of business, must pay all  
1.20 applicable taxes related to the movable place of business, and must not sell any tobacco  
1.21 products other than premium cigars.

1.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.