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HOUSE BILL 23

**49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010**

INTRODUCED BY

Karen E. Giannini

AN ACT

RELATING TO THE SALE OF GOODS; PROHIBITING THE SALE OF PRODUCTS  
APPEARING TO BE TOBACCO PRODUCTS; PROVIDING FOR A PENALTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SALE OF GOODS DESIGNED TO APPEAR TO BE TOBACCO  
PRODUCTS--PENALTY.--

A. No person shall sell or supply, or offer to sell  
or supply, any goods designed to appear as a tobacco product.

B. A person who violates any provision of  
Subsection A of this section shall be fined in an amount not to  
exceed one hundred dollars (\$100).

C. As used in this section:

(1) "goods" means all things, including but  
not limited to food and specially manufactured goods, that are  
movable at the time of sale; and

underscoring material = new  
~~[bracketed material] = delete~~

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(2) "tobacco product" means a good that is made for the consumption of tobacco or made from, containing or designed to burn or hold tobacco, including but not limited to cigarettes, cigarillos, cigars, hookahs, snuff, smoking tobacco and smokeless tobacco.