

Adopted Rejected

# COMMITTEE REPORT

YES: 9  
NO: 0

**MR. SPEAKER:**

*Your Committee on Public Policy, to which was referred House Bill 1405, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, delete lines 1 through 15.
- 2 Delete pages 2 through 4.
- 3 Page 5, delete lines 1 through 23, begin a new paragraph and insert:
- 4 "SECTION 1. IC 35-46-1-1.3 IS ADDED TO THE INDIANA
- 5 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2011]: **Sec. 1.3. As used in this chapter,**
- 7 **"dissolvable tobacco product" means a smokeless tobacco product**
- 8 **that dissolves in the mouth of the user."**
- 9 Page 5, line 29, after "tobacco;" insert "**and**".
- 10 Page 5, between lines 29 and 30, begin a new line block indented
- 11 and insert:
- 12 **"(4) a dissolvable tobacco product."**
- 13 Page 5, delete lines 30 through 31, begin a new paragraph and
- 14 insert:

- 1           "SECTION 3. IC 35-46-1-11.8, AS ADDED BY P.L.37-2007,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2011]: Sec. 11.8. (a) As used in this section, "self-service  
4 display" means a display that contains ~~cigarettes~~ **tobacco** in an area  
5 where a customer:  
6           (1) is permitted; and  
7           (2) has access to the ~~cigarettes~~ **tobacco** without assistance from  
8           a sales person.  
9           (b) This section does not apply to a self-service display located in  
10 a retail establishment that:  
11           (1) has a primary purpose to sell ~~cigarettes~~; **tobacco**; and  
12           (2) prohibits entry by persons who are less than eighteen (18)  
13           years of age.  
14           (c) The owner of a retail establishment that sells or distributes  
15 ~~cigarettes~~ **tobacco** through a self-service display, other than a coin  
16 operated machine operated under IC 35-46-1-11 or IC 35-46-1-11.5,  
17 commits a Class C infraction.  
18           (d) Notwithstanding IC 34-28-5-5(c), civil penalties collected under  
19 this section must be deposited in the Richard D. Doyle youth tobacco  
20 education and enforcement fund (IC 7.1-6-2-6)."  
21           Renumber all SECTIONS consecutively.  
              (Reference is to HB 1405 as introduced.)

**and when so amended that said bill do pass.**

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Representative Davis