

HB1001_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.

HB20-1001 be amended as follows:

1 Amend printed bill, page 10, strike line 16 and substitute "the division
2 shall perform, CAUSE TO BE PERFORMED, OR COORDINATE WITH A LOCAL
3 AUTHORITY IN THE PERFORMANCE OF at least TWO".

4 Page 11, line 2, strike "(4)(c)(I)," and substitute "(4)(c)".

5 Page 11, line 26, strike the second "AND".

6 Page 12, strike lines 2 and 3 and substitute "OF RETAIL LOCATIONS THAT
7 THE DIVISION SHALL PERFORM, CAUSE TO BE PERFORMED, OR COORDINATE
8 WITH A LOCAL AUTHORITY IN THE PERFORMANCE OF EACH YEAR. THE
9 RULES MUST ENSURE THAT ANY COORDINATION BETWEEN THE DIVISION
10 AND A LOCAL AUTHORITY ON THE PERFORMANCE OF COMPLIANCE CHECKS
11 SATISFIES FEDERAL REQUIREMENTS.

12 (III) TO ENSURE THAT COMPLAINTS RECEIVED BY THE DIVISION
13 ARE FORWARDED TO THE APPROPRIATE LOCAL AUTHORITY AND THAT
14 COMPLAINTS RECEIVED BY THE LOCAL AUTHORITY ARE FORWARDED TO
15 THE DIVISION FOR THE TIMELY INVESTIGATION INTO AND ACTION TAKEN
16 ON THE COMPLAINTS."

17 Page 14, strike lines 24 through 27.

18 Page 15, strike lines 1 through 13 and substitute "LICENSING
19 REQUIREMENTS ON RETAILERS, THE DIVISION SHALL:

20 (I) ISSUE A STATE LICENSE TO THE RETAILER UPON THE RETAILER
21 DEMONSTRATING TO THE DIVISION THAT THE RETAILER HAS OBTAINED A
22 LOCAL LICENSE AND PAYING THE STATE LICENSE FEE; AND

23 (II) (A) EXCEPT AS PROVIDED IN SUBSECTION (4)(b)(II)(B) OF THIS
24 SECTION, SET THE STATE LICENSE RENEWAL DATE ON THE SAME DATE AS
25 THE LOCAL LICENSE RENEWAL DATE. THE DIVISION SHALL PRORATE THE
26 INITIAL STATE LICENSE FEE IF SETTING THE STATE LICENSE RENEWAL DATE
27 IN LINE WITH THE LOCAL LICENSE RENEWAL DATE REQUIRES RENEWAL
28 WITHIN LESS THAN TWELVE MONTHS AFTER THE INITIAL STATE LICENSE
29 WAS ISSUED.

30 (B) IF A LOCAL GOVERNMENT FIRST IMPOSES A LOCAL LICENSING
31 REQUIREMENT ON CIGARETTES, TOBACCO PRODUCTS, OR NICOTINE
32 PRODUCTS ON OR AFTER JULY 1, 2021, THE LOCAL GOVERNMENT SHALL
33 SET THE LOCAL LICENSE RENEWAL DATE FOR A RETAILER ON THE SAME
34 DATE AS THE STATE LICENSE RENEWAL DATE.

35 (c) THE DIVISION SHALL COLLABORATE WITH ANY LOCAL
36 AUTHORITY REGARDING THE PERFORMANCE OF COMPLIANCE CHECKS AND

1 COMPLAINTS RECEIVED IN ACCORDANCE WITH RULES PROMULGATED BY
2 THE EXECUTIVE DIRECTOR PURSUANT TO SECTION 44-7-104 (5)(a)(III)."

3 Page 15, strike lines 23 through 27.

4 Page 16, strike lines 1 through 18 and substitute:

5 "(b) IF THE STATE LICENSE CONCERNS A RETAIL LOCATION THAT IS
6 LOCATED WITHIN THE JURISDICTION OF A LOCAL AUTHORITY THAT IMPOSES
7 LICENSING REQUIREMENTS ON RETAILERS, THE DIVISION SHALL RENEW THE
8 LICENSEE'S STATE LICENSE UPON THE LICENSEE DEMONSTRATING TO THE
9 DIVISION THAT THE LICENSEE IS OPERATING UNDER A VALID LOCAL
10 LICENSE AND PAYING THE RENEWAL STATE LICENSE FEE."

11 Page 18, strike line 27 and substitute "limitations contained in section".

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