

HB 2257 -- Fire Safety Standard and Firefighter Protection Act

Sponsor: Bruns

This bill establishes the Fire Safety Standard and Firefighter Protection Act which prohibits the sale of any cigarette in this state that has not been tested, certified, and marked that it has met certain performance standards. Any manufacturer, wholesale dealer, retail dealer, agent, or other person or entity who violates this requirement may be fined up to \$100 per pack of cigarettes sold or offered for sale. No penalty against a manufacturer, wholesale dealer, or agent can exceed \$100,000, and no penalty against a retail dealer can exceed \$25,000. Any corporation, partnership, sole proprietorship, limited partnership, or association engaged in the manufacture of cigarettes that knowingly makes a false certification will be subject to a penalty of between \$75,000 and \$250,000.

Performance standard tests will be conducted in accordance with the Standard Test Method for Measuring the Ignition Strength of Cigarettes of the American Society of Testing and Materials unless the State Fire Marshal determines that it is impossible for the cigarette manufacturer to use this test method. Each manufacturer must pay a \$1,000 fee for each brand family of cigarettes listed in the certification to be deposited into the Fire Safety Standard and Firefighter Protection Act Enforcement Fund. The fund will be administered by the State Fire Marshal and used solely to support processing, testing, enforcement, and oversight activities involved with the implementation of the provisions of the bill.

The bill becomes effective July 31, 2009.