

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3837-01
Bill No.: HB 1328
Subject: Tobacco Products; Children and Minors
Type: Original
Date: January 13, 2010

Bill Summary: This proposal prohibits any employee of a seller of cigarettes or tobacco products who is less than eighteen years of age to sell cigarettes or tobacco products.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on FTE	0	0	0

- Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).
- Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator** assume the proposal would not fiscally impact the courts.

Officials from the **Department of Public Safety - Director's Office** and **Alcohol and Tobacco Control (ATC)** each assume the proposal would not fiscally impact their respective agencies.

Currently, employees of sellers of tobacco products who are under 18 years in age may effect the sale of cigarettes or tobacco products in the course of his or her employment. This proposal removes that ability. Violations of this new law would result in a fine of \$250 for the first violation and \$500 for a second and any subsequent violation. **Oversight** contacted the Division of Alcohol and Tobacco Control regarding the number of anticipated fines that may be collected from the change. Based on the number of fines collected for a similar law regarding the sale of alcohol, the ATC stated there would be few violations of this law that would lead to a collection of a fine. Therefore, Oversight will not reflect an increase in fine revenue to the local school districts resulting from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Small businesses that sell tobacco products could be fiscally impacted by this proposal if they employ persons under 18 years of age.

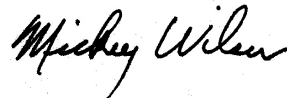
FISCAL DESCRIPTION

This bill prohibits any employee of a seller of cigarettes or tobacco products who is younger than 18 years of age from selling cigarettes or tobacco products in the course of his or her employment. Any seller who violates this provision will be fined \$250 for the first offense and \$500 for any subsequent offense.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety
Office of the State Courts Administrator



Mickey Wilson, CPA
Director
January 13, 2010