

Act No. 272
Public Acts of 1992
Approved by the Governor
December 16, 1992
Filed with the Secretary of State
December 16, 1992

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1992**

Introduced by Rep. Bennane

ENROLLED HOUSE BILL No. 5225

AN ACT to amend the title and section 4 of Act No. 31 of the Public Acts of 1915, entitled as amended "An act to prohibit the selling, giving, or furnishing of tobacco products to minors; to prohibit the use of tobacco products by minors; to prohibit the harboring of minors for the purpose of indulging in the use of tobacco products; to prescribe penalties; and to prescribe the powers and duties of certain state agencies and departments," as added by Act No. 314 of the Public Acts of 1988, being section 722.644 of the Michigan Compiled Laws; and to add section 2a.

The People of the State of Michigan enact:

Section 1. The title and section 4 of Act No. 31 of the Public Acts of 1915, as added by Act No. 314 of the Public Acts of 1988, being section 722.644 of the Michigan Compiled Laws, are amended and section 2a is added to read as follows:

TITLE

An act to prohibit the selling, giving, or furnishing of tobacco products to minors; to prohibit the use of tobacco products by minors; to prohibit the harboring of minors for the purpose of indulging in the use of tobacco products; to regulate the retail sale of tobacco products; to prescribe penalties; and to prescribe the powers and duties of certain state agencies and departments.

Sec. 2a. (1) Except as otherwise provided in subsection (2), a person who sells tobacco products at retail shall not sell a cigarette separately from its package.

(2) Subsection (1) does not apply to a person who sells tobacco products at retail in a tobacco specialty retail store or other retail store that deals exclusively in the sale of tobacco products and smoking paraphernalia.

(3) A person who violates subsection (1) is guilty of a misdemeanor, punishable by a fine of not more than \$500.00 for each offense.

Sec. 4. As used in this act:

(a) "Chewing tobacco" means loose tobacco or a flat, compressed cake of tobacco that is inserted into the mouth to be chewed or sucked.

(b) "Person who sells tobacco products at retail" means a person whose ordinary course of business consists, in whole or in part, of the retail sale of tobacco products subject to state sales tax.

(c) "Tobacco snuff" means shredded, powdered, or pulverized tobacco that may be inhaled through the nostrils, chewed, or placed against the gums.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved

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Governor.