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EXEMPT

(Reprinted with amendments adopted on April 22, 2003)

REPRINT

FIRST
S.B. 66

AMENDMENT PROPOSED BY LORILLARD TOBACCO
COMPANY

SENATE BILL NO. 66—COMMITTEE ON JUDICIARY

FEBRUARY 7, 2003

Referred to Committee on Judiciary

SUMMARY—Requires supplier of cigarettes to reimburse retail cigarette dealer for consumer price discount or consumer promotion provided to consumer within 90 days after retail cigarette dealer provides discount or promotion to consumer. (BDR 52-186)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

EXPLANATION – Matter in double *underlined bolded italics* is new; matter between brackets [~~omitted material~~] is material to be omitted.

Green numbers along left margin indicate location on the printed bill (e.g., 5-15 indicates page 5, line 15).

AN ACT relating to cigarettes; requiring a supplier of cigarettes to reimburse a retail cigarette dealer for any consumer price discount or consumer promotion provided to a consumer within 90 days after the retail cigarette dealer provides the discount or promotion to the consumer; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

ASSEMBLY COMMERCE & LABOR 193
DATE: 5/14/03 ROOM: 4100 EXHIBIT H
SUBMITTED BY: Mike Alonso

1-1 **Section 1.** Chapter 597 of NRS is hereby amended by adding
1-2 thereto a new section to read as follows:

1-3 **1. A supplier shall reimburse a retail cigarette dealer for any**
1-4 **consumer price discount or consumer promotion provided to**
1-5 **consumers** ~~—[a~~

~~consumer]~~ **within 90 days after the price discount or consumer**
promotion program has ended. [~~retail cigarette dealer provides~~
the discount or promotion to the consumer.] Payment is
contingent upon the retail cigarette dealer being in compliance
with the terms of the contract for the price discount or
promotion, including those relating to the adequate
documentation and accounting of the results of the promotion.

1-7 **2. As used in this section:**

1-8 **(a) “Cigarette” means all rolled tobacco or substitutes therefor**
1-9 **wrapped in paper or any substitute other than tobacco,**
1-10 **irrespective**

1-11 **of size or shape and whether or not the tobacco is flavored,**
adulterated or mixed with any other ingredient.

2-1 (b) *“Retail cigarette dealer” means any person who offers to*
2-2 *sell cigarettes at retail or who is engaged in selling cigarettes at*
2-3 *retail.*

2-4 (c) *“Supplier” means any cigarette manufacturer or importer*
2-5 *who, directly or indirectly through an agent, representative,*
broker

2-6 *or distributor, supplies, sells or delivers to a retail cigarette*
dealer

2-7 *in this state, or offers to supply, sell or deliver to a retail*
cigarette

2-8 *dealer in this state, any cigarettes or any advertisement,*

2-9 *merchandising or promotion relating to the sale of cigarettes.*

2-10 H