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ANN WILKINSON  
*Assistant Attorney General*

May 1, 2003

Assemblyman Bernie Anderson  
Chairman, Judiciary Committee  
Nevada State Legislative Building  
Carson City, Nevada 89701

*Re: SB 315*

Dear Chairman Anderson:

Thank you for considering SB 315 which prohibits cigarette vending machines except in bars and gaming areas where children under 21 are prohibited from loitering. I understand that the Committee members had some questions.

**What types of businesses have the approximately 20 cigarette vending machines which are accessible to children under 18 years of age?**

There are currently twenty cigarette vending machines that would be required to be moved if SB 315 was passed. The investigators for the Attorney General's office have found these machines in the following types of businesses: (1) convenience stores (with and without gas); (2) tobacco stores; (3) casinos; (4) car washes; (5) restaurants; (6) bowling alleys; and (7) laundries.

A significant problem with cigarette vending machines is that any business can simply place one in their business. They are constantly being moved. As a result, any list of what types of businesses have them is subject to change.

ASSEMBLY JUDICIARY

DATE: 5-8-03 ROOM 3138 EXHIBIT EE

SUBMITTED BY: John Albrecht

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**Why is SB 315 phrased as permissive?**

The change that the Attorney General proposed to Senate Bill 315 was phrased as prohibiting cigarette vending machines except in bars where children are prohibited from loitering and gaming areas where children are prohibited from loitering. I do not know why it was changed to be the current permissive language. The Attorney General would favor phrasing the law as prohibiting cigarette vending machines except in bars where persons under 21 are prohibited from loitering under NRS 202.030 and gaming areas where persons under 21 are prohibited from loitering under NRS 463.350.

If you or other members of the committee have any questions, please contact me at 688-1872.

Sincere regards,

BRIAN SANDOVAL  
Attorney General

By:   
JOHN ALBRECHT  
Chief Deputy Attorney General  
Human Resources Division

JA/ceh

cc: Committee Members

EE-2072