

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2736**

Toma Floor Amendment

The floor amendment adds the following changes:

1. Asserts a tobacco license applicant's principal place of business and other business locations may not include a residential location or post office box address.
2. Allows cigars to be held or stored at a residential location provided:
 - a. The product weight of the cigars is not more than 500 pounds.
 - b. The distributor must allow access to the Department of Revenue for inspection of stock, records, or data showing sales, receipts and purchases of luxuries.
3. Removes language relating to suspension of a tobacco distributor license.

Amendment explanation prepared by Paul Benny

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TOMA FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2736
(Reference to printed bill)

1 Page 1, line 5, strike ". suspensions"

2 Line 20, after the period insert "THE APPLICANT'S PRINCIPAL PLACE OF BUSINESS
3 AND OTHER BUSINESS LOCATIONS MAY NOT INCLUDE A RESIDENTIAL LOCATION OR POST
4 OFFICE BOX ADDRESS."

5 Page 2, line 35, after "vehicle" insert ", EXCEPT AS ALLOWED BY SECTION 42-3403."

6 Between lines 35 and 36, insert:

7 "(c) MAY NOT BE HELD OR STORED AT A RESIDENTIAL LOCATION, UNLESS THE
8 SOLE LUXURY FOR SALE OR DISTRIBUTION BY OR ON BEHALF OF THE DISTRIBUTOR IS
9 TAXED AS A CIGAR UNDER SECTION 42-3052, PARAGRAPH 8 OR 9 AND THE PRODUCT
10 WEIGHT OF THE CIGARS IS NOT MORE THAN FIVE HUNDRED POUNDS. IF THE PRODUCT
11 IS HELD OR STORED AT A RESIDENTIAL LOCATION, AS A CONDITION OF LICENSURE,
12 THE DISTRIBUTOR SHALL PROVIDE WRITTEN CONSENT AND ALLOW ACCESS TO THE
13 DEPARTMENT TO INSPECT THE STOCK OF LUXURIES AND ALL BOOKS, PAPERS,
14 INVOICES, RECORDS AND ELECTRONICALLY STORED DATA SHOWING SALES, RECEIPTS
15 AND PURCHASES OF LUXURIES. THE DISTRIBUTOR SHALL SUBMIT THE WRITTEN CONSENT
16 TO THE DEPARTMENT WITH THE LICENSE APPLICATION OR ON DEMAND OF THE
17 DEPARTMENT."

18 Page 3, line 21, strike "or suspend"

19 Lines 34 and 40, strike "suspension,"

20 Amend title to conform

BEN TOMA