

SENATE BILL REPORT

SB 5689

As Reported By Senate Committee On:
Health & Long-Term Care, February 16, 1995

Title: An act relating to cigarettes and tobacco products.

Brief Description: Prohibiting giveaways of cigarette and tobacco samples and coupons.

Sponsors: Senators Oke, Quigley, Rasmussen, Moyer, Drew, Heavey, Hargrove, Haugen, Hochstatter, Deccio, Palmer, Pelz, Fairley, Franklin, Spanel, Prentice, Morton, Fraser, Sutherland, West, Strannigan, Swecker, Winsley and Hale.

Brief History:

Committee Activity: Health & Long-Term Care: 2/10/95, 2/16/95 [DP].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Quigley, Chair; C. Anderson, Fairley, Franklin and Moyer.

Staff: Don Sloma (786-7319)

Background: Smoking is the leading cause of preventable death in our society, according to the U.S. Surgeon General. It accounted for 7,993 deaths (21 percent of all deaths) in our state during 1990.

The State Health Report and the Public Health Improvement Plan have both identified several strategies to reduce access to tobacco, particularly among minors.

Recent legislatures have made various efforts to limit access to tobacco products and to prohibit sales to minors.

Some are concerned that the practice among some tobacco product manufacturers, retailers or advertisers to distribute free samples may be undermining tobacco control strategies and may compromise public health.

Summary of Bill: Giving away cigarettes or tobacco products to any person in person or through the mail is not considered advertising and is prohibited, as is providing coupons which may be exchanged for free cigarettes or tobacco products.

The state Liquor Control Board may take several actions specified in the bill to enforce the prohibition including suspending or revoking a retailer's license, imposing civil penalties of \$300 for those who are not retailers, issuing cease and desist orders, or seeking injunctive relief to collect penalties.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Tobacco is the leading cause of preventable death. Most who begin smoking start young. Free samples are a way to get young people started. While samples are not given to kids directly, they are given to young adults who give them to kids. Outlawing samples will provide the only effective means of controlling youth access to samples.

Testimony Against: Sample distributors do not distribute to kids. Samples are advertising to adults and should not be outlawed.

Testified: PRO: Robert Jaffe, MD; Mimi Fields, MD, State Health Officer, Dept. of Health; Lisa Smith, Resident Thurston Co. ACS; Meg Hageman, Willa Fisher, Bremerton-Kitsap Co. Health Dist; Christy Noland, STAN-D, student; Bill Van Horn, mathematics teaching; Joe McGavick, Liquor Control Board; Dorothy Gill, Lung; Nick Federici, WSNA; Herb Stumpf; CON: Stu Halsan, Smokeless Tobacco Council; Jerry King, Pierce County Sheriffs Posse.