

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

FILED SENATE
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S.B. 475
PRINCIPAL CLERK

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SENATE DRS35196-MD-58A (03/10)

Short Title: Master Settlement Agreement Enforcement. (Public)

Sponsors: Senator Brown (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND NORTH CAROLINA'S TOBACCO RESERVE FUND AND
3 ESCROW COMPLIANCE STATUTES.
4 The General Assembly of North Carolina enacts:
5 SECTION 1. G.S. 66-293 reads as rewritten:
6 "§ 66-293. Sale of certain cigarettes prohibited.
7 (a) Civil Penalty. – It is unlawful for a person required to pay taxes pursuant to Part 2 or
8 3 of Article 2A of Chapter 105 of the General Statutes to sell or deliver cigarettes belonging to
9 a brand family of a nonparticipating manufacturer if the sale of the cigarettes is subject to such
10 taxes unless the cigarettes are included on the compliant nonparticipating manufacturer's list
11 prepared and made public by the Office of the Attorney General under G.S. 66-294.1 as of the
12 date the person sells or delivers the cigarettes. It is not a violation of this subsection if the brand
13 family was on the compliant nonparticipating manufacturer's list when the person purchased the
14 cigarettes and the person sold or delivered the cigarettes within ~~60~~30 days of the purchase. The
15 Attorney General may impose a civil penalty on a person that it finds violates this subsection.
16 The amount of the penalty may not exceed the greater of five hundred percent (500%) of the
17 retail value of the cigarettes sold or five thousand dollars (\$5,000).
18 (b) Contraband. – Cigarettes described in subsection (a) of this section are contraband
19 and may be seized by a law enforcement officer. The procedure for seizure and disposition of
20 this contraband is the same as the procedure under G.S. 105-113.31 and G.S. 105-113.32 for
21 non-tax-paid cigarettes."
22 SECTION 2. This act is effective when it becomes law.

