

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

573I0475

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **SB 149** - 02/21/2003

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Moore and Olson (Ed) and Representatives Sebert and Nesselhuf

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the sale or marketing
2 of unstamped cigarettes.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 10-50-32 be amended to read as follows:

5 10-50-32. No ~~distributor may sell, and no other person, other than a person licensed pursuant~~
6 to § 10-50-9, may sell, offer for sale, display for sale, or possess with intent to sell, advertise for
7 sale, ship or cause to be shipped, or possess with intent to deliver to another person, any
8 cigarettes which do not bear stamps or an imprint impressed by a suitable metering machine
9 approved by the secretary as provided by this chapter, evidencing the payment of the tax imposed
10 by this chapter.

11 ~~— A violation of this section is a Class 2 misdemeanor.~~

12 The department shall, for the first offense, send a certified letter to any person who violates
13 this section and order such person to cease and desist from committing any further violations.

14 Any subsequent violation is a Class 6 felony.

