

FILED

2001 MAY -2 P 4: 29

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2001



ENROLLED

House Bill No. 3020

(By Mr. Speaker, Mr. Kiss, and Delegates Compton,
Staton, Amores, Hall, Michael and Perdue)



Passed April 14, 2001

In Effect Ninety Days from Passage

FILED

2001 MAY -2 P 4: 30

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H. B. 3020

(BY MR. SPEAKER, MR. KISS, AND DELEGATES COMPTON,
STATON, AMORES, HALL, MICHAEL AND PERDUE)

[Passed April 14, 2001; in effect ninety days from passage.]

AN ACT to amend article nine-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section nine, relating to prohibiting the importation, sale or distribution of bidis tobacco products; defining terms and creating misdemeanor penalties.

Be it enacted by the Legislature of West Virginia:

That article nine-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section nine, to read as follows:

ARTICLE 9A. TOBACCO USAGE RESTRICTIONS.

§16-9A-9. Selling of bidis prohibited; penalties.

- 1 (a) The Legislature finds that young people in this state
- 2 have been enticed into smoking or using tobacco products by

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Enr. H. B. 3020]

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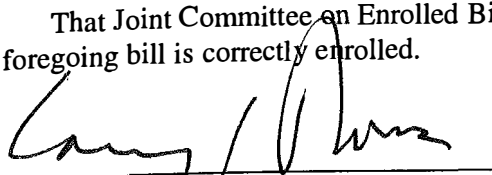
3 first using or experimenting with hand-rolled, flavored tobacco
4 products called "bidis" or "beedies." Recognizing that the use
5 of bidis is an emerging public health problem, the Legislature
6 hereby adopts a public policy that the tobacco products known
7 as "bidis" should not be imported, sold or distributed in the
8 state of West Virginia.

9 (b) Notwithstanding any other provision of law, no person
10 or business entity shall possess, import, sell, offer for sale or
11 distribute any tobacco product commonly referred to as "bidis"
12 or "beedies."

13 (c) For purposes of this section, "bidis" or "beedies" means
14 a product containing tobacco that is wrapped in temburni leaf
15 or leaves (*diospyros melanoxylon*) or tendu leaf or leaves
16 (*diospyros exculpra*), or any other product or substance that is
17 offered to or purchased by consumers as bidis or beedies. As
18 used in this section, the terms "bidis" and "beedies" have the
19 same meaning and may be used interchangeably.

20 (d) Any person violating the provisions of this section is
21 guilty of a misdemeanor, and upon conviction thereof shall be
22 fined not more than five hundred dollars; and upon a second or
23 subsequent conviction thereof, shall be fined not less than one
24 thousand nor more than five thousand dollars for each offense,
25 or confined in a county or regional jail not more than six
26 months, or both.

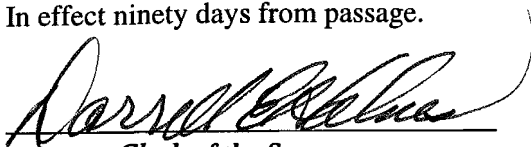
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

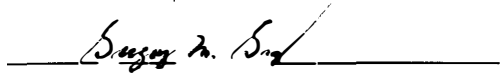

Chairman Senate Committee

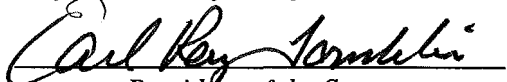

Chairman House Committee

Originating in the House.

In effect ninety days from passage.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is approved this the 15th
day of May, 2001.


Governor

PRESENTED TO THE

GOVERNOR

Date 4/27/01

Time 4:30pm