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
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.


(a) The Legislature finds that young people in this state have been enticed into smoking or using tobacco products by
first using or experimenting with hand-rolled, flavored tobacco products called “bidis” or “beedies.” Recognizing that the use of bidis is an emerging public health problem, the Legislature hereby adopts a public policy that the tobacco products known as “bidis” should not be imported, sold or distributed in the state of West Virginia.

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

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

(d) Any person violating the provisions of this section is guilty of a misdemeanor, and upon conviction thereof shall be fined not more than five hundred dollars; and upon a second or subsequent conviction thereof, shall be fined not less than one thousand nor more than five thousand dollars for each offense, or confined in a county or regional jail not more than six 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 1st day of January, 2001.

Governor