

MAINE STATE LEGISLATURE

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L.D. 2157

Date: 3/20/24 Report C

(Filing No. H-843)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "B" to H.P. 1383, L.D. 2157, "An Act to Prohibit Tobacco Sales near Schools"

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 22 MRSA §1552, sub-§1-A is enacted to read:

1-A. Proximity to schools. Beginning April 1, 2025, the department may not issue a new retail tobacco license to a retailer located within 300 feet of a school in existence at the time the application for a new license is made. This subsection does not apply to a retailer in existence prior to April 1, 2025 that is applying to renew a retail tobacco license or is applying for a new license due to a transfer of ownership of the retail business.

For the purposes of this subsection, "school" includes a public school, as defined in Title 20-A, section 1, subsection 24; a private school, as defined in Title 20-A, section 1, subsection 22; a public preschool program, as defined in Title 20-A, section 1, subsection 23-A; and any other educational facility that serves children from prekindergarten to grade 12.

Distance must be measured from the main entrance of the retailer's premises to the main entrance of the school by the ordinary course of travel.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment is a minority report of the committee. This amendment prohibits the Department of Health and Human Services, beginning April 1, 2025, from issuing a new tobacco license to a retailer located within 300 feet of a school. The provision is not applicable to retailers that were in existence prior to April 1, 2025 that are applying to

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT " B " to H.P. 1383, L.D. 2157

1 renew an existing license or are applying for a new license due to a transfer of ownership
2 of the business.

FISCAL NOTE REQUIRED

(See attached)

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COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 2157

LR 2917(03)

An Act to Prohibit Tobacco Sales near Schools

Fiscal Note for Bill as Amended by Committee Amendment 'B' (H-843)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Health and Human Services to adopt the changes in this bill are expected to be minor and can be absorbed within existing budgeted resources.