

SENATE AMENDMENT 2 TO hb1530.

deleting "state;" from line 7 on page 2 and substituting therefor "state except that licensed does not mean that a person is registered as a manufacturer;"

and
by deleting lines 13 through 15 on page 2 and appropriately renumbering the subsequent subsections

and
by overstriking "manufacturer or" at the end of line 30 on page 2

and
by deleting "person who" from line 19 on page 3 and substituting therefor "person, not a manufacturer or owned or operated by a manufacturer, who"

and
by deleting lines 23 through 25 on page 3 and substituting therefor the following:
"Arkansas, and who sells to properly licensed cigarette vendors or retailers."

and
by deleting line 2 on page 4 and substituting therefor the following:
"~~act~~ of their powers and duties as specifically prescribed by this subchapter, except the Director of the Tobacco Control Board shall have no authority to promulgate rules and regulations regarding manufacturers. "

and
by inserting an additional sentence to begin immediately following the period on line 31 on page 5 to read as follows:
"Provided, however, that the Tobacco Control Board shall have no authority under this or any other act, to require any manufacturer or other person to disclose any confidential, competitive commercial information furnished by a manufacturer, without that manufacturer s written permission."

and by deleting "hours." from line 19 on page 6 and substituting therefor the following:
"hours; except that only the Director of the Department of Finance and Administration may examine the invoices of manufacturers"

and

by deleting line 26 on page 6 and substituting therefor the following:

"that purpose, except that a manufacturer need only to register in accordance with Arkansas Code 26-57-215(1)."

and

by deleting "person listed" from line 32 on page 6 and substituting therefor the following: "person (except manufacturers) listed"

and

by deleting "the Tobacco Control Board" from line 1 on page 7 and substituting "Finance and Administration. A manufacturer so registered is not licensed for purposes of this chapter"

and

by overstriking "manufacturer," on line 9 on page 7

and

by deleting line 12 on page 9

and

by deleting "(5)" from line 13 on page 9 and substituting therefor "~~(5)~~ (4)"

and

by deleting "monthly" from line 15 on page 9 and substituting "weekly"

and

by deleting "monthly" from line 18 on page 9 and substituting "weekly"

and

by deleting "monthly" from line 21 on page 9 and substituting "weekly"

and

by deleting "License" from lined 26 on page 9 and substituting "Fee"

and

by deleting line 7 on page 13 and substituting therefor the following:
"Every salesman who sells, offers"

and

by deleting from line 11 on page 13 "and manufacturer s representative"

and

by deleting from line 16 on page 13 "and manufacturer s representative"

and

by overstriking "or" on line 18 on page 13

and

by deleting line 19 on page 13 and substituting therefor:"

~~"licensed retailer located in this state;"~~

and

by deleting lines 34 through 36 on page 13 and lines 1 through 4 on page 14 and substituting therefor the following:

~~"(b) Any salesman for a manufacturer who fails or refuses to secure a permit or who fails or refuses to keep the records prescribed by the director or who fails or refuses to provide such information and reports as prescribed by the director is guilty of a violation."~~

and

by inserting an additional sentence immediately following the period on line 15 on page 19 to read as follows:

"The Tobacco Control Board shall have no jurisdiction over manufacturers of tobacco products."

and

by deleting "amended;" at the end of line 36 on page 19 and substituting therefor

"amended, subject to the restrictions in § 26-57-212(d);"

and

by deleting "manufactured," from line 4 on page 22

and

by deleting "Administration and" at the end of line 26 on page 22 and substituting

therefor "Administration (except the authority to regulate manufacturers) and"