

H. B. No. 258
As Introduced

_____ moved to amend as follows:

In line 192, delete "Notwithstanding" and insert "Except as provided 1
in division (F) (3) of this section and notwithstanding" 2

In line 222, delete "(3)" and insert "(3) (a) Notwithstanding any 3
provision of the Revised Code to the contrary, an individual who is an 4
employee, agent, or representative of a manufacturer, producer, 5
distributor, wholesaler, or retailer of cigarettes, other tobacco 6
products, or alternative nicotine products who is found guilty of or 7
pleaded guilty to a violation of division (B) (1) of this section shall, if 8
the person has never before been convicted of or pleaded guilty to 9
violating division (B) (1) of this section, be subject to no penalties. For 10
additional violations of division (B) (1) of this section, the court shall 11
impose a fine in the following amount: 12

(i) Except as otherwise provided in divisions (F) (3) (a) 13
(ii), (iii), (iv), and (v) of this section, if an offender has 14
previously been convicted of or pleaded guilty to a violation of 15
division (B) (1) of this section, not more than two hundred fifty 16
dollars; 17



(ii) Except as otherwise provided in divisions (F) (3) (a) (iii), (iv), and (v) of this section, if an offender previously has been convicted of or pleaded guilty to two or more violations of division (B) (1) of this section, not more than five hundred dollars; 18
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(iii) Except as otherwise provided in division (F) (3) (a) (iv) and (v) of this section, if an offender previously has been convicted of or pleaded guilty to three or more violations of division (B) (1) of this section, five hundred dollars; 23
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(iv) Except as provided in division (F) (3) (a) (v) of this section, an offender previously has been convicted of or pleaded guilty to four or more violations of division (B) (1) of this section, one thousand dollars; 27
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(v) If an offender previously has been convicted of or pleaded guilty to five or more violations of division (B) (1) of this section, one thousand five hundred dollars. 31
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(b) The financial sanctions required by division (F) (3) (a) of this section are in lieu of the financial sanctions described in division (A) (2) of section 2929.28 of the Revised Code, but are in addition to any other sanctions or penalties that may apply to the offender, including other financial sanctions under that section or a jail term under section 2929.24 of the Revised Code. 34
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(4)" 41

The motion was _____ agreed to.

<u>SYNOPSIS</u>	42
Penalties for employees	43
R.C. 2927.02	44
Makes an individual who is an employee, agent, or	45
representative of a manufacturer, producer, distributor,	46
wholesaler, or retailer of cigarettes, other tobacco products,	47
or alternative nicotine products who is found guilty of or	48
pleaded guilty to selling or otherwise distributing tobacco	49
products to a person under 21 years of age subject to the	50
following penalties:	51
First offense - no penalties;	52
Second offense - fine of up to \$250;	53
Third offense - fine of up to \$500;	54
Fourth offense - fine of \$500;	55
Fifth offense - fine of \$1,000;	56
Sixth offense and greater - fine of \$1,500.	57
Specifies that these penalties are in lieu of the	58
financial sanctions levied for misdemeanors, but are in addition	59
to any other sanctions or penalties that may apply, including	60
possible jail time.	61