

2016 -- S 2108

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO HEALTH AND SAFETY -- ELECTRONIC MARIJUANA-DELIVERY  
SYSTEMS

Introduced By: Senators Ruggerio, McCaffrey, Goodwin, and Picard

Date Introduced: January 21, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-9-13, 11-9-13.4, 11-9-13.8 and 11-9-13.13 of the General Laws  
2 in Chapter 11-9 entitled "Children" are hereby amended to read as follows:

3 **11-9-13. Purchase, sale or delivery of tobacco products to persons under eighteen --**  
4 **Posting notice of law. --** No person under eighteen (18) years of age shall purchase, nor shall any  
5 person sell, give, or deliver to any person under eighteen (18) years of age, any [electronic](#)  
6 [marijuana-delivery systems or](#) tobacco in the form of cigarettes, bidi cigarettes, cigars, little  
7 cigars, flavored cigars known as "blunts," unflavored "blunts," flavored and unflavored blunt  
8 wraps, cigarette rolling papers of any size or composition, cigarillos and tiparillos, pipe tobacco,  
9 chewing tobacco, electronic nicotine-delivery systems, or snuff. Any person, firm, or corporation  
10 that owns, manages, or operates a place of business in which [electronic marijuana-delivery](#)  
11 [systems or](#) tobacco products are sold, including sales through cigarette vending machines, shall  
12 post notice of this law conspicuously in the place of business in letters at least three-eighths of an  
13 inch ( 3/8") high.

14 **11-9-13.4. Definitions. --** As used in this chapter:

15 (1) "Bidi cigarette" means any product that (i) contains tobacco that is wrapped in  
16 temburni or tender leaf, or that is wrapped in any other material identified by rules of the  
17 Department of Health that is similar in appearance or characteristics to the temburni or tender  
18 leaf, and (ii) does not contain a smoke filtering device.

- 1 (2) "Court" means any appropriate district court of the state of Rhode Island.
- 2 (3) "Dealer" is synonymous with the term "retail tobacco products dealer" and  
3 "electronic marijuana-delivery system products dealer".
- 4 (4) "Department of behavioral healthcare, developmental disabilities and hospitals "   
5 means the state of Rhode Island behavioral healthcare, developmental disabilities and hospitals  
6 department, its employees, agents or assigns.
- 7 (5) "Department of taxation" means the state of Rhode Island taxation division, its  
8 employees, agents, or assigns.
- 9 (6) "License" is synonymous with the term "retail tobacco products dealer license"  
10 ~~or~~ "electronic nicotine-delivery system license" or "electronic marijuana-delivery system  
11 license."
- 12 (7) "License holder" is synonymous with the term "retail tobacco products dealer"  
13 ~~or~~ "electronic nicotine-delivery system license" or "electronic marijuana-delivery system  
14 license."
- 15 (8) "Person" means any individual person, firm, association, or corporation licensed as a  
16 retail dealer to sell tobacco products within the state.
- 17 (9) "Retail tobacco products dealer" means the holder of a license to sell tobacco  
18 products at retail.
- 19 (10) "Retail tobacco products dealer license" means a license to sell tobacco products at  
20 retail as issued by the department of taxation.
- 21 (11) "Spitting tobacco" also means snuff, powdered tobacco, chewing tobacco, dipping  
22 tobacco, pouch tobacco, or smokeless tobacco.
- 23 (12) "Tobacco product(s)" means any product containing tobacco, including bidi  
24 cigarettes, as defined in subdivision (1) of this section, that can be used for, but whose use is not  
25 limited to, smoking, sniffing, chewing, or spitting of the product.
- 26 (13) "Underage individual" or "underage individuals" means any child under the age of  
27 eighteen (18) years of age.
- 28 (14) "Little cigars" means and includes any roll, made wholly or in part of tobacco,  
29 irrespective of size or shape, and irrespective of whether the tobacco is flavored, adulterated, or  
30 mixed with any other ingredient, where such roll has a wrapper or cover made of tobacco  
31 wrapped in leaf tobacco or any substance containing tobacco paper or any other material, except  
32 where such wrapper is wholly or in greater part made of tobacco and such roll weighs over three  
33 (3) pounds per thousand (1,000).
- 34 (15) "Electronic nicotine-delivery system" means an electronic device that may be used

1 to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the  
2 device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic  
3 cigarillo, electronic pipe, or electronic hookah and any related device and any cartridge or other  
4 component of such device.

5 (16) "Electronic marijuana-delivery system" means an electronic device that may be used  
6 in the delivery of marijuana to a person inhaling from the device, and includes, but is not limited  
7 to, an electronic pipe or electronic hookah, and any related device and any other component of  
8 such device.

9 **11-9-13.8. Prohibitions applicable to license holders and their employees and agents.**

10 -- A person holding a license issued under chapter 20 of title 44 and/or § 23-1-56, or an employee  
11 or agent of that person, is prohibited from selling, distributing, or delivering a tobacco, ~~and/or~~  
12 electronic nicotine-delivery system product, and/or electronic marijuana-delivery system product:

- 13 (1) To any individual who is under eighteen (18) years of age; or  
14 (2) In any form other than an original, factory-wrapped package; or  
15 (3) As a single-cigarette sale (§ 44-20-31) or as a sale of cigarettes by the individual  
16 piece known as "loosies."

17 **11-9-13.13. Nature and size of penalties.** -- (a) Any person or individual who violates a  
18 requirement of § 11-9-13.6(2), display of specific signage, shall be subject to a fine in court of not  
19 less than thirty-five dollars (\$35.00), nor more than five hundred dollars (\$500), per civil  
20 violation.

21 (b) The license holder is responsible for all violations of this section that occur at the  
22 location for which the license is issued. Any license holder that violates the prohibition of § 11-9-  
23 13.8(1) and/or (2) shall be subject to civil fines as follows:

- 24 (1) A fine of two hundred fifty dollars (\$250) for the first violation within any thirty-six-  
25 month (36) period;  
26 (2) A fine of five hundred dollars (\$500) for the second violation within any thirty-six-  
27 month (36) period;  
28 (3) A fine of one thousand dollars (\$1,000) and a fourteen-day (14) suspension of the  
29 license to sell tobacco products, ~~or~~ electronic nicotine-delivery systems, or electronic marijuana-  
30 delivery systems for the third violation within any thirty-six-month (36) period;  
31 (4) A fine of one thousand five hundred dollars (\$1,500) and a ninety-day (90)  
32 suspension of the license to sell tobacco products, ~~or~~ electronic nicotine-delivery systems, or  
33 electronic marijuana-delivery systems for each violation in excess of three (3).

34 (c) Any person that violates a prohibition of § 11-9-13.8(3), sale of single cigarettes; §

1 11-9-13.8(2), regarding factory-wrapped packs; shall be subject to a penalty of five hundred  
2 dollars (\$500) for each violation.

3 (d) The department of taxation and/or the department of health shall not issue a license to  
4 any individual, business, firm, association, or corporation the license of which has been revoked  
5 or suspended, to any corporation an officer of which has had his or her license revoked or  
6 suspended, or to any individual who is, or has been, an officer of a corporation the license of  
7 which has been revoked or suspended so long as such revocations or suspensions are in effect.

8 (e) The court shall suspend the imposition of a license suspension of the license secured  
9 from the Rhode Island tax administrator for violation of subdivisions (b)(3) and (b)(4) of this  
10 section if the court finds that the license holder has taken measures to prevent the sale of tobacco,  
11 ~~and/or~~ electronic nicotine-delivery systems, and/or electronic marijuana-delivery systems to  
12 minors and the license holder can demonstrate to the court that those measures have been taken  
13 and that employees have received training. No person shall sell tobacco products, ~~and/or~~  
14 electronic nicotine-delivery system products at retail without first being trained in the legal sale of  
15 tobacco, ~~and/or~~ electronic nicotine-delivery system products, and/or electronic marijuana-delivery  
16 systems. Training shall teach employees what constitutes a tobacco, ~~and/or~~ electronic nicotine-  
17 delivery system product, and/or electronic marijuana-delivery system product; legal age of  
18 purchase; acceptable identification; how to refuse a direct sale to a minor or secondary sale to an  
19 adult; and all applicable laws on tobacco sales and distribution. Dealers shall maintain records  
20 indicating that the provisions of this section were reviewed with all employees who conduct, or  
21 will conduct, tobacco, ~~and/or~~ electronic nicotine-delivery systems sales, and/or electronic  
22 marijuana-delivery systems sales. Each employee who sells or will sell tobacco, ~~and/or~~ electronic  
23 nicotine-delivery system products, and/or electronic marijuana-delivery system products shall  
24 sign an acknowledgement form attesting that the provisions of this section were reviewed with  
25 him or her. Each form shall be maintained by the retailer for as long as the employee is so  
26 employed and for no less than one year after termination of employment. The measures to prevent  
27 the sale of tobacco, ~~and/or~~ electronic nicotine-delivery systems, and/or electronic marijuana-  
28 delivery systems to minors shall be defined by the department of behavioral healthcare,  
29 developmental disabilities and hospitals in rules and regulations.

30 SECTION 2. Section 21-28.6-3 of the General Laws in Chapter 21-28.6 entitled "The  
31 Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act" is hereby amended to read as  
32 follows:

33 **21-28.6-3. Definitions.** -- For the purposes of this chapter:

34 (1) "Cardholder" means a qualifying patient or a primary caregiver who has registered

1 with the department and has been issued and possesses a valid registry identification card.

2 (2) (i) "Compassion center" means a not-for-profit corporation, subject to the provisions  
3 of chapter 6 of title 7, and registered under § 21-28.6-12, that acquires, possesses, cultivates,  
4 manufactures, delivers, transfers, transports, supplies or dispenses marijuana, and/or related  
5 supplies and educational materials, to patient cardholders and/or their registered caregiver  
6 cardholder, who have designated it as one of their primary caregivers.

7 (ii) "Compassion center cardholder" means a principal officer, board member, employee,  
8 volunteer, or agent of a compassion center who has registered with the department and has been  
9 issued and possesses a valid registry identification card.

10 (3) "Debilitating medical condition" means:

11 (i) Cancer, glaucoma, positive status for human immunodeficiency virus, acquired  
12 immune deficiency syndrome, Hepatitis C, or the treatment of these conditions;

13 (ii) A chronic or debilitating disease or medical condition, or its treatment, that produces  
14 one or more of the following: cachexia or wasting syndrome; severe, debilitating, chronic pain;  
15 severe nausea; seizures, including but not limited to, those characteristic of epilepsy; or severe  
16 and persistent muscle spasms, including but not limited to, those characteristic of multiple  
17 sclerosis or Crohn's disease; or agitation of Alzheimer's Disease; or

18 (iii) Any other medical condition or its treatment approved by the department, as  
19 provided for in § 21-28.6-5.

20 (4) "Department" means the Rhode Island department of health or its successor agency.

21 (5) "Marijuana" has the meaning given that term in § 21-28-1.02(26).

22 (6) "Marijuana vaping lounge" means a business subject to §21-28.6-15 that acts as a  
23 gathering place for medical marijuana cardholders as defined in §21-28.6-3, and/or that transfers,  
24 supplies, and/or sells devices that may be used in the delivery of marijuana to a person or persons  
25 inhaling from the device. Such devices include, but are not limited to, an electric pipe or  
26 electronic hookah and/or any related device and any other component of such a device.

27 ~~(6)~~(7) "Mature marijuana plant" means a marijuana plant that has flowers or buds that  
28 are readily observable by an unaided visual examination.

29 ~~(7)~~(8) "Medical use" means the acquisition, possession, cultivation, manufacture, use,  
30 delivery, transfer, or transportation of marijuana or paraphernalia relating to the consumption of  
31 marijuana to alleviate a patient cardholder's debilitating medical condition or symptoms  
32 associated with the medical condition.

33 ~~(8)~~(9) "Practitioner" means a person who is licensed with authority to prescribe drugs  
34 pursuant to chapter 37 of title 5 or a physician licensed with authority to prescribe drugs in

1 Massachusetts or Connecticut.

2 ~~(9)~~(10) "Primary caregiver" means either a natural person, who is at least twenty-one  
3 (21) years old, or a compassion center. A natural person primary caregiver may assist no more  
4 than five (5) qualifying patients with their medical use of marijuana.

5 ~~(10)~~(11) "Qualifying patient" means a person who has been diagnosed by a practitioner  
6 as having a debilitating medical condition and is a resident of Rhode Island.

7 ~~(11)~~(12) "Registry identification card" means a document issued by the department that  
8 identifies a person as a registered qualifying patient, a registered primary caregiver, or a  
9 registered principal officer, board member, employee, volunteer, or agent of a compassion center.

10 ~~(12)~~(13) "Seedling" means a marijuana plant with no observable flowers or buds.

11 ~~(13)~~(14) "Unusable marijuana" means marijuana seeds, stalks, seedlings, and unusable  
12 roots.

13 ~~(14)~~(15) "Usable marijuana" means the dried leaves and flowers of the marijuana plant,  
14 and any mixture or preparation thereof, but does not include the seeds, stalks, and roots of the  
15 plant.

16 ~~(15)~~(16) "Written certification" means the qualifying patient's medical records, and a  
17 statement signed by a practitioner, stating that in the practitioner's professional opinion, the  
18 potential benefits of the medical use of marijuana would likely outweigh the health risks for the  
19 qualifying patient. A written certification shall be made only in the course of a bona fide,  
20 practitioner-patient relationship after the practitioner has completed a full assessment of the  
21 qualifying patient's medical history. The written certification shall specify the qualifying patient's  
22 debilitating medical condition or conditions.

23 SECTION 3. Chapter 21-28.6 of the General Laws entitled "The Edward O. Hawkins and  
24 Thomas C. Slater Medical Marijuana Act" is hereby amended by adding thereto the following  
25 sections:

26 **21-28.6-15. Marijuana vaping lounges. -- (a) A marijuana vaping lounge registered**  
27 **under this statute may deliver, transfer, supply, or sell supplies related to marijuana to registered**  
28 **qualified patients and their registered primary caregivers.**

29 **(b) Registration of marijuana vaping lounges:**

30 **(1) The department shall promulgate regulations governing the manner in which it will**  
31 **issue applications including:**

32 **(i) The form and content of registration and renewal applications;**

33 **(ii) Minimum oversight requirements for marijuana vaping lounges;**

34 **(iii) Minimum record-keeping requirements for marijuana vaping lounges;**

1 (iv) Minimum security requirements for marijuana vaping lounges; and  
2 (v) Procedures for suspending, revoking, or terminating the registration of marijuana  
3 vaping lounges that violate the provisions of this section or the regulations promulgated pursuant  
4 to this subsection.

5 **21-28.6-15.1. Requirements.** – (a) Only current "cardholder(s)" as defined in §21-28.6-  
6 3, may become members, and/or utilize the products and services provided by a marijuana vaping  
7 lounge.

8 (b) Only persons eighteen (18) years of age and older shall be allowed on the premises of  
9 a marijuana vaping lounge.

10 (c) A marijuana vaping lounge is prohibited from acquiring, possessing, cultivating,  
11 manufacturing, delivering, transferring, transporting, supplying, or dispensing marijuana for any  
12 purpose.

13 **21-28.6-15.2. Regulations.** – The department shall:

14 (1) Coordinate and promote the enforcement of the provisions of this section and serve as  
15 the primary liaison from this department to other state or local agencies and departments.

16 (2) Investigate concurrently with other state and local officials violations of this section,  
17 utilizing unannounced statewide compliance checks investigating compliance with the provisions  
18 of this section. Underage individuals, acting as agents for the department and with the written  
19 permission of a parent or guardian, may enter a marijuana vaping lounge, with immunity from  
20 prosecution, for the purposes of law enforcement or government research involving monitoring  
21 compliance with this chapter, provided that the underage individuals are supervised by an adult  
22 law enforcement official. Any individual participating in an unannounced compliance check with  
23 age requirements of marijuana vaping lounges, must state their age if asked by the representative  
24 of the marijuana vaping lounge being checked.

25 (3) Seek enforcement, concurrently with other state and local officials, of the penalties as  
26 detailed in this chapter.

27 **21-28.6-15.3. Nature and size of penalties.** – (a) The license holder is responsible for all  
28 violations of this section that occur at the location for which the license is issued. Any license  
29 holder that violates this section shall be subject to civil fines as follows:

30 (1) A fine of two hundred fifty dollars (\$250) for the first violation within any thirty-six  
31 (36) month period;

32 (2) A fine of five hundred dollars (\$500) for the second violation within any thirty-six  
33 (36) month period;

34 (3) A fine of one thousand dollars (\$1,000) for the third violation within any thirty-six

1 (36) month period.

2 The department of taxation and/or the department of health shall not issue a license to  
3 any individual, business, firm, association, or corporation the license of which has been revoked  
4 or suspended, to any corporation an officer of which has had their license revoked or suspended,  
5 or to any individual who is, or has been, an officer of a corporation the license of which has been  
6 revoked or suspended so long as the revocations or suspensions are in effect.

7 (b) The court shall suspend the imposition of a license suspension of the license secured  
8 from the Rhode Island tax administrator for violations of subdivisions of this section if the court  
9 finds that the license holder has taken measures to prohibit entry of minors to the marijuana  
10 vaping lounge establishment.

11 SECTION 4. Sections 23-1-55, 23-1-56, 23-1-57 and 23-1-58 of the General Laws in  
12 Chapter 23-1 entitled "Department of Health" are hereby amended to read as follows:

13 **23-1-55. Electronic nicotine delivery system distributor, and dealer licenses required**

14 **-- Definitions. --** Definitions. - Whenever used in §§ 23-1-56 to 23-1-58, unless the context  
15 requires otherwise:

16 (1) "Dealer" means any person, whether located within or outside of this state, who sells  
17 or distributes electronic nicotine-delivery system products or electronic marijuana-delivery  
18 system products to a consumer in this state;

19 (2) "Distributor" means any person:

20 (i) Whether located within or outside of this state, other than a dealer, who sells or  
21 distributes electronic nicotine-delivery system products within or into this state. Such term shall  
22 not include any electronic nicotine-delivery system products manufacturer, export warehouse  
23 proprietor, or importer with a valid permit, if such person sells or distributes electronic nicotine-  
24 delivery system products in this state only to licensed distributors or to an export warehouse  
25 proprietor or another manufacturer with a valid permit;

26 (ii) Selling electronic nicotine-delivery system products directly to consumers in this  
27 state by means of at least twenty-five (25) electronic nicotine-delivery system product vending  
28 machines;

29 (iii) Engaged in this state in the business of manufacturing electronic nicotine-delivery  
30 system products or any person engaged in the business of selling electronic nicotine-delivery  
31 system products to dealers, or to other persons, for the purpose of resale only; provided that  
32 seventy-five percent (75%) of all electronic nicotine-delivery system products sold by that person  
33 in this state are sold to dealers or other persons for resale and selling electronic nicotine-delivery  
34 system products directly to at least forty (40) dealers or other persons for resale; or



1 (iv) Maintaining one or more regular places of business in this state for that purpose;  
2 provided, that seventy-five percent (75%) of the sold electronic nicotine-delivery system products  
3 are purchased directly from the manufacturer and selling electronic nicotine-delivery system  
4 products directly to at least forty (40) dealers or other persons for resale;

5 (3) "Electronic nicotine-delivery system" means the products as defined in § 11-9-  
6 13.4(15).

7 [\(4\) "Electronic marijuana-delivery system" means the products defined in §11-9-](#)  
8 [13.4\(16\).](#)

9 **23-1-56. License.** -- (a) Each person engaging in the business of selling electronic  
10 nicotine-delivery system products [or electronic marijuana-delivery system products](#) in the state,  
11 including any distributor or dealer, shall secure a license annually from the department before  
12 engaging in that business or continuing to engage in it. A separate application and license is  
13 required for each place of business operated by a distributor or dealer. If the applicant for a  
14 license does not have a place of business in this state, the license shall be issued for such  
15 applicant's principal place of business, wherever located. A licensee shall notify the department  
16 within thirty (30) days in the event that it changes its principal place of business. A separate  
17 license is required for each class of business if the applicant is engaged in more than one of the  
18 activities required to be licensed by this section. No person shall maintain or operate, or cause to  
19 be operated, a vending machine for electronic nicotine-delivery systems without procuring a  
20 dealer's license for each machine.

21 (b) The director shall have authority to set a reasonable fee not to exceed twenty-five  
22 dollars (\$25.00) for the issuance of the license.

23 (c) Each issued license shall be prominently displayed on the premises, if any, covered  
24 by the license.

25 (d) The director shall create and maintain a website setting forth the identity of all  
26 licensed persons under this section, itemized by type of license possessed, and shall update the  
27 site no less frequently than six (6) times per year.

28 (e) A manufacturer or importer may sell or distribute electronic nicotine-delivery  
29 systems to a person located or doing business within the state only if such person is a licensed  
30 distributor. An importer may obtain electronic nicotine-delivery systems only from a licensed  
31 manufacturer. A distributor may sell or distribute electronic nicotine-delivery systems to a person  
32 located or doing business within this state only if such person is a licensed distributor or dealer. A  
33 distributor may obtain electronic nicotine-delivery systems only from a licensed manufacturer,  
34 importer, or distributor. A dealer may obtain electronic nicotine-delivery systems only from a

1 licensed distributor.

2 (f) (1) No license under this chapter may be granted, maintained, or renewed if the  
3 applicant, or any combination of persons owning directly or indirectly any interests in the  
4 applicant:

5 (i) Is delinquent in any tax filings for one month or more; or

6 (ii) Had a license under this chapter revoked within the past two (2) years.

7 (2) No person shall apply for a new license, or renewal of a license and no license shall  
8 be issued or renewed for any person, unless all outstanding fines, fees, or other charges relating to  
9 any license held by that person have been paid.

10 (3) No license shall be issued relating to a business at any specific location until all prior  
11 licenses relating to that location have been officially terminated and all fines, fees, or charges  
12 relating to the prior licenses have been paid or otherwise resolved or if the director has found that  
13 the person applying for the new license is not acting as an agent for the prior licensee who is  
14 subject to any such related fines, fees, or charges that are still due. Evidence of such agency status  
15 includes, but is not limited to, a direct familial relationship and/or employment, contractual, or  
16 other formal financial or business relationship with the prior licensee.

17 (4) No person shall apply for a new license pertaining to a specific location in order to  
18 evade payment of any fines, fees, or other charges relating to a prior license for that location.

19 (5) No new license shall be issued for a business at a specific location for which a license  
20 has already issued unless there is a bona fide, good-faith change in ownership of the business at  
21 that location.

22 (6) No license or permit shall be issued, renewed or maintained for any person, including  
23 the owners of the business being licensed, who has been convicted of violating any criminal law  
24 relating to tobacco products and/or electronic nicotine-delivery system products [and/or electronic](#)  
25 [marijuana-delivery system products](#), the payment of taxes, or fraud, or has been ordered to pay  
26 civil fines of more than twenty-five thousand dollars (\$25,000) for violations of any civil law  
27 relating to tobacco products and/or electronic nicotine-delivery system products [and/or electronic](#)  
28 [marijuana-delivery system products](#), the payment of taxes, or fraud.

29 **23-1-57. Penalties for unlicensed business.** -- Any distributor or dealer who sells, offers  
30 for sale, or possesses with intent to sell, electronic nicotine-delivery system products [or electronic](#)  
31 [marijuana-delivery system products](#) without a license as provided in § 23-1-56, shall be fined in  
32 accordance with the provisions of, and the penalties contained in, § 23-1-58.

33 **23-1-58. Penalty for operating without a dealer license.** -- (a) Any individual or  
34 business who violates this chapter by selling or conveying an electronic nicotine-delivery system

1 product [or electronic marijuana-delivery system product](#) without a retail license shall be cited for  
2 that violation and shall be required to appear in district court for a hearing on the citation.

3 (b) Any individual or business cited for a violation hereunder shall:

4 (1) Either post a five hundred dollar (\$500) bond with the district court within ten (10)  
5 days of the citation; or

6 (2) Sign and accept the citation indicating a promise to appear in court.

7 (c) An individual or business who or that has accepted the citation may:

8 (1) Pay the five hundred dollar (\$500) fine, either by mail or in person, within ten (10)  
9 days after receiving the citation; or

10 (2) If that individual or business has posted a bond, forfeit the bond by not appearing at  
11 the scheduled hearing. If the individual or business cited pays the five hundred dollar (\$500) fine  
12 or forfeits the bond, that individual or business is deemed to have admitted the cited violation and  
13 to have waived the right to a hearing on the issue of commission on the violation.

14 (d) The court, after a hearing on a citation, shall make a determination as to whether a  
15 violation has been committed. If it is established that the violation did occur, the court shall  
16 impose a five hundred dollar (\$500) fine in addition to any court costs or fees.

17 SECTION 5. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- ELECTRONIC MARIJUANA-DELIVERY  
SYSTEMS

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- 1           This act would define and regulate the use of electronic marijuana-delivery system
- 2 products.
- 3           This act would take effect upon passage.

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