

ENROLLED

H. B. 2992

(BY DELEGATE WHITE)

[BY REQUEST OF THE TAX AND REVENUE DEPARTMENT]

[Passed April 10, 2013; in effect ninety days from passage.]

AN ACT to repeal §60-9-3 of the Code of West Virginia, 1931, as amended; and to amend and reenact §60-9-4 and §60-9-6 of said code, all relating to eliminating duplicative reporting requirements imposed on distributors of imported cigarettes.

Be it enacted by the Legislature of West Virginia:

That §60-9-3 of the Code of West Virginia, 1931, as amended, be repealed; and that §60-9-4 and §60-9-6 of said code be amended and reenacted, all to read as follows:

ARTICLE 9. CIGARETTES PRODUCED FOR EXPORT; IMPORTED CIGARETTES.

§60-9-4. Criminal penalties.

- 1 Any person that commits any of the acts prohibited by
- 2 section two of this article, either knowing or having reason to
- 3 know he or she is doing so is guilty of a felony and, upon

4 conviction thereof, shall be fined not more than \$5,000, or
5 imprisoned in a state correctional facility not more than five
6 years, or both fined and imprisoned.

§60-9-6. Unfair trade practices.

1 A violation of section two of this article constitutes an
2 unlawful trade practice as provided in article eleven-a, chapter
3 forty-seven of this code and, in addition to any remedies or
4 penalties set forth in this article, is subject to any remedies or
5 penalties for a violation of that article.

6 The Alcohol Beverage Control Commissioner shall enforce
7 each and every provision of the Unfair Trade Practices Act in
8 article eleven-a, chapter forty-seven of this code with respect to
9 packages of cigarettes with like effect as if that article were set
10 forth in extenso herein.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within _____ this the _____
day of _____, 2013.

Governor

