

provided for in this ~~chapter~~ division. No cigarettes shall be sold through any cigarette vending machine unless ~~such~~ the cigarettes shall have been properly stamped or metered as provided by this ~~chapter~~ division, and in case of violation of this provision, the permit of the dealer authorizing retail sales of cigarettes shall be canceled. Payment of the license fee as provided in section 98.13 ~~shall authorize~~ authorizes a cigarette vendor to sell cigarettes through ~~a vending machine or~~ vending machines, provided that the ~~machine or~~ machines are located in ~~a place or~~ places where the ~~machine or~~ machines are under the supervision of a ~~responsible~~ person of legal age who ~~will be~~ is responsible for prevention of purchase by minors from ~~such machine or~~ the machines and the location where the ~~machine or~~ machines are placed is covered by a local retail permit. ~~Nothing herein shall~~ This section does not require a retail licensee to buy a cigarette vendor's permit if the retail licensee is in fact the owner of the cigarette vending ~~machine or~~ machines and the ~~machine or~~ machines are operated in the location described in the retail permit.

Sec. 18. Section ninety-eight point thirty-seven (98.37), Code 1979, is amended to read as follows:

98.37 CERTAIN OFFENSES AND PENALTIES PROVIDED. ~~Whoever shall violate any~~ A person who violates a provision of this ~~chapter shall be~~ division is guilty of a simple misdemeanor unless otherwise provided in this division.

Approved May 17, 1980

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CHAPTER 1030  
TOBACCO ADVERTISING NEAR SCHOOLS  
H. F. 2163

AN ACT repealing the prohibition against advertising the sale of tobacco near public schools.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Sections ninety-eight point forty (98.40) and ninety-eight point forty-one (98.41), Code 1979, are repealed.

Approved April 21, 1980