

CHAPTER 136

SALE OF CIGARETTES AND TOBACCO PRODUCTS THROUGH VENDING MACHINES

S.F. 163

AN ACT relating to the sale of cigarettes and tobacco products through vending machines.

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

Section 1. Section 453A.36, subsection 6, Code 1997, is amended to read as follows:

6. Any sales of cigarettes or tobacco products made through a cigarette vending machine are subject to rules and penalties relative to retail sales of cigarettes and tobacco products provided for in this chapter. No cigarettes shall be sold through any cigarette vending machine unless the cigarettes have been properly stamped or metered as provided by this 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 453A.13 authorizes a cigarette vendor to sell cigarettes or tobacco products through vending machines, ~~provided that the following conditions are met: the machines are located in places where the machines are under the supervision of a person of legal age who is responsible for prevention of purchase by minors from the machines; the machines are equipped with a lock-out device under the control of a person of legal age who shall directly regulate the sale of items through the machines, and which shall include a mechanism to prevent the machines from functioning if the power source for the lock-out device fails or if the lock-out device is disabled, and a mechanism to ensure that only one pack of cigarettes or one tobacco product is dispensed at a time; and the location where the machines are placed is covered by a local retail permit. However, a lock-out device is not required for machines operated in the following locations, if the machines are not to be placed in a doorway or other area readily accessible to minors: a commercial establishment holding a class "C" liquor license or a class "B" beer permit under chapter 123, if the establishment is not also licensed as a food service establishment under chapter 137B; a private facility not open to the public; or a workplace not open to the public.~~ However, cigarettes or tobacco products shall not be sold through a vending machine unless the vending machine is located in a place where the retailer ensures that no person younger than eighteen years of age is present or permitted to enter at any time. 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 machines and the machines are operated in the location described in the retail permit.

Approved May 9, 1997

CHAPTER 137

USE AND DISPOSAL OF SEWAGE SLUDGE

S.F. 214

AN ACT relating to the regulation of the use and disposal of sewage sludge and providing a penalty.

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

Section 1. Section 455B.171, subsection 7, Code 1997, is amended to read as follows:

7. "Disposal system" means a system for disposing of sewage, industrial waste, ~~and~~ or