



Ninety – Sixth Legislature – First Session – 1999
Introducer's Statement of Intent
LB 798

Chairperson: Senator Kermit A. Brashear
Committee: Judiciary
Date of Hearing: 02/10/99

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 798 creates a central registry of tobacco licensees in Nebraska in order to facilitate compliance with the Federal Synar Amendment. The Synar Amendment requires states to enact and enforce statutes that bar the sale or distribution of tobacco to minors. States risk losing a considerable percentage of federal substance abuse prevention and treatment (SAPT) grant funds for failing to comply with the law.

The Synar Amendment also requires that law enforcement officials perform unannounced compliance checks to ensure that retailers are complying with the law.

The substantive intent of LB 798 is to facilitate the provision of necessary data to the Department of Health and Human Services to assist in conducting the required compliance checks under the Synar amendment. An additional aid to the state's goal of reducing teenage tobacco use is enhanced enforcement. LB 798 provides for an increased tobacco licensing fee, with a portion of the increased fee going to the Nebraska State Patrol for the enforcement of laws relating to the sale of tobacco to minors. The State Patrol is allowed to contract with local law enforcement in such efforts.

Under LB 798, the Department of Revenue will issue retail and wholesale licenses for the sale of tobacco, but only upon local approval of the license application. The Department of Revenue is required to provide licensure data to the Department of Health and Human Services, for the conduct of the required Synar compliance checks.

Senator Jim Jensen, Principal Introducer