SENATE BILL No. 1066

September 8, 2016, Introduced by Senators JONES and PROOS and referred to the Committee on Regulatory Reform.

A bill to amend 1915 PA 31, entitled
"Youth tobacco act,"
(MCL 722.641 to 722.645) by amending the title and by adding section 3a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to prohibit the selling, giving, or furnishing of tobacco products to minors; to prohibit the purchase, possession, or use of tobacco products by minors; to regulate the retail sale of tobacco products; to prescribe penalties; and to prescribe the powers and duties of certain state agencies and departments; AND TO PREEMPT LOCAL UNITS OF GOVERNMENT FROM REGULATING CERTAIN CONDUCT.

SEC. 3A. (1) A LOCAL UNIT OF GOVERNMENT SHALL NOT ADOPT OR
ENFORCE A CHARTER PROVISION, ORDINANCE, CODE, REGULATION, RULE, OR RESOLUTION THAT DOES EITHER OF THE FOLLOWING:

(A) IMPOSES A CONFLICTING, DIFFERENT, OR ADDITIONAL REQUIREMENT OR PROHIBITION COMPARED WITH THOSE CONTAINED IN THIS ACT RELATING TO SELLING, GIVING, OR FURNISHING A TOBACCO PRODUCT TO AN INDIVIDUAL IN THIS STATE.

(B) IMPOSES A CONFLICTING, DIFFERENT, OR ADDITIONAL REQUIREMENT OR PROHIBITION COMPARED WITH THOSE CONTAINED IN THIS ACT RELATING TO THE AGE AT WHICH AN INDIVIDUAL MAY PURCHASE, ATTEMPT TO PURCHASE, POSSESS, ATTEMPT TO POSSESS, OR USE A TOBACCO PRODUCT IN THIS STATE.

(2) THIS ACT PREEMPTS AND SUPERSEDES A CHARTER PROVISION, ORDINANCE, CODE, REGULATION, RULE, OR RESOLUTION BY A LOCAL UNIT OF GOVERNMENT THAT RELATES TO ANY MATTER EXPRESSLY SET FORTH IN THIS ACT.

(3) AS USED IN THIS SECTION, "LOCAL UNIT OF GOVERNMENT" MEANS A COUNTY, TOWNSHIP, CITY, OR VILLAGE OF THIS STATE.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.