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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1195

02/14/2019 Authored by Kunes-Podein, Nash, Davids and McDonald
The bill was read for the first time and referred to the Committee on Commerce

1.1 A bill for an act
1.2 relating to local government; permitting certain limited types of tobacco sales from
1.3 kiosks; amending Minnesota Statutes 2018, section 461.21.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2018, section 461.21, is amended to read:

1.6 461.21 KIOSK SALES PROHIBITED.

1.7 (a) Except as provided in paragraph (b), no person shall sell tobacco, tobacco-related
1.8 devices, or electronic delivery devices as defined in section 609.685, subdivision 1, or
1.9 nicotine or lobelia delivery products as described in section 609.6855, from a moveable
1.10 place of business. For the purposes of this section, a moveable place of business means any
1.11 retail business whose physical location is not permanent, including, but not limited to, any
1.12 retail business that is operated from a kiosk, other transportable structure, or a motorized
1.13 or nonmotorized vehicle.

1.14 (b) Paragraph (a) does not apply to a person who (1) manufactures and sells hand-rolled
1.15 cigars, (2) provides on-site demonstrations of cigar rolling and cultural education where the
1.16 cigars are being sold, (3) has been licensed under section 297F.03 for at least five years,
1.17 and (4) pays all applicable taxes. A person is exempt from any local tobacco licensing
1.18 requirements if all requirements in this paragraph are met.