

1 health problem, the Legislature hereby adopts a public policy that
2 the tobacco products known as "bidis" and other flavored tobacco
3 products should not be imported, sold or distributed in the State
4 of West Virginia.

5 (b) Notwithstanding any other provision of law, no person or
6 business entity ~~shall~~ may possess, import, sell, offer for sale or
7 distribute any tobacco product commonly referred to as "bidis" or
8 "beedies" or other flavored tobacco products as defined in this
9 section.

10 (c) (1) For purposes of this section, "bidis" or "beedies"
11 means a product containing tobacco that is wrapped in temburni leaf
12 or leaves (diospyros melanoxylon) or tendu leaf or leaves
13 (diospyros exculpra), or any other product or substance that is
14 offered to or purchased by consumers as bidis or beedies. As used
15 in this section, the terms "bidis" and "beedies" have the same
16 meaning and may be used interchangeably.

17 (2) For purposes of this section, "flavored tobacco products"
18 means tobacco products that have added flavoring including
19 cigarettes, cigars, smokeless tobacco, Hookah tobacco, little
20 cigars and dissolvable tobacco products. Menthol and mint flavors
21 are not included in the definition of "flavored tobacco products."

22 (d) Any person violating the provisions of this section is
23 guilty of a misdemeanor and, upon conviction thereof, shall be
24 fined not more than \$500; and upon a second or subsequent

1 conviction thereof, shall be fined not less than \$1,000 nor more
2 than \$5,000 for each offense, or confined in ~~a county or regional~~
3 jail not more than six months, or both.

NOTE: The purpose of this bill is to ban the sale of flavored tobacco products.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.