

1 **ENROLLED**

2 **H. B. 2992**

3
4 (By Delegate White)

5 (By Request of the State Tax Division)

6 [Passed April 10, 2013; in effect ninety days from passage.]

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10 AN ACT to repeal §60-9-3 of the Code of West Virginia, 1931, as
11 amended; and to amend and reenact §60-9-4 and §60-9-6 of said
12 code, all relating to eliminating duplicative reporting
13 requirements imposed on distributors of imported cigarettes.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §60-9-3 of the Code of West Virginia, 1931, as amended,
16 be repealed; and that §60-9-4 and §60-9-6 of said code be amended
17 and reenacted, all to read as follows:

18 **ARTICLE 9. CIGARETTES PRODUCED FOR EXPORT; IMPORTED CIGARETTES.**

19 **§60-9-4. Criminal penalties.**

20 Any person that commits any of the acts prohibited by section
21 two of this article, either knowing or having reason to know he or
22 she is doing so is guilty of a felony and, upon conviction thereof,
23 shall be fined not more than \$5,000, or imprisoned in a state

1 correctional facility not more than five years, or both fined and
2 imprisoned.

3 **§60-9-6. Unfair trade practices.**

4 A violation of section two of this article constitutes an
5 unlawful trade practice as provided in article eleven-a, chapter
6 forty-seven of this code and, in addition to any remedies or
7 penalties set forth in this article, is subject to any remedies or
8 penalties for a violation of that article.

9 The Alcohol Beverage Control Commissioner shall enforce each
10 and every provision of the Unfair Trade Practices Act in article
11 eleven-a, chapter forty-seven of this code with respect to packages
12 of cigarettes with like effect as if that article were set forth in
13 extenso herein.