

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 771

Introduced by Wallman, 30.

Read first time January 09, 2014

Committee: General Affairs

A BILL

- 1 FOR AN ACT relating to the Reduced Cigarette Ignition Propensity Act;
- 2 to amend section 69-504, Reissue Revised Statutes of
- 3 Nebraska; to change the length of the certification
- 4 period; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 69-504, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 69-504 (1) Each manufacturer shall submit to the State
4 Fire Marshal a written certification attesting that:

5 (a) Each cigarette listed in the certification has been
6 tested in accordance with section 69-503; and

7 (b) Each cigarette listed in the certification meets the
8 performance standard set forth in section 69-503.

9 (2) Each cigarette listed in the certification shall be
10 described with the following information:

11 (a) Brand or trade name on the package;

12 (b) Style, such as light or ultra light;

13 (c) Length in millimeters;

14 (d) Circumference in millimeters;

15 (e) Flavor, such as menthol or chocolate, if applicable;

16 (f) Filter or nonfilter;

17 (g) Package description, such as soft pack or box;

18 (h) Marking pursuant to section 69-505;

19 (i) The name, address, and telephone number of the
20 laboratory, if different than the manufacturer, that conducted the
21 test; and

22 (j) The date that the testing occurred.

23 (3) The State Fire Marshal shall make the certifications
24 available to the Attorney General for purposes consistent with the
25 Reduced Cigarette Ignition Propensity Act and the Department of

1 Revenue for the purposes of ensuring compliance with this section.

2 (4) Each cigarette certified under this section shall be
3 recertified every ~~four~~three years.

4 (5) At the time a manufacturer submits a written
5 certification under this section, the manufacturer shall pay to the
6 State Fire Marshal a fee of one thousand dollars for each brand
7 family of cigarettes identified in the certification. The fee paid
8 shall apply to all cigarettes listed in the brand family identified
9 in the certification and shall include any new cigarette certified
10 within the brand family during the ~~four-year~~three-year certification
11 period.

12 (6) The Reduced Cigarette Ignition Propensity Fund is
13 created. The fund shall consist of all certification fees submitted
14 by manufacturers in addition to any other funds made available for
15 such purpose. The State Fire Marshal shall use the fund to carry out
16 the act. Fees collected pursuant to this section shall be remitted to
17 the State Treasurer for credit to the fund. Any money in the fund
18 available for investment shall be invested by the state investment
19 officer pursuant to the Nebraska Capital Expansion Act and the
20 Nebraska State Funds Investment Act.

21 (7) If a manufacturer has certified a cigarette pursuant
22 to this section and thereafter makes any change to such cigarette
23 that is likely to alter its compliance with the reduced cigarette
24 ignition propensity standards required by the Reduced Cigarette
25 Ignition Propensity Act, such cigarette shall not be sold or offered

1 for sale in this state until the manufacturer retests the cigarette
2 in accordance with the testing standards set forth in section 69-503
3 and maintains records of that retesting as required by section
4 69-503. Any altered cigarette which does not meet the performance
5 standard set forth in section 69-503 shall not be sold in this state.

6 Sec. 2. Original section 69-504, Reissue Revised Statutes
7 of Nebraska, is repealed.