

Amendments to House Bill No. 687
2nd Reading Copy

Requested by Representative Scott Mendenhall

For the House Appropriations Committee

Prepared by Greg Petesch
March 16, 2005 (7:59am)

1. Page 3, line 27.
Following: "violation of"
Insert: "the tax and directory requirements of"

2. Page 3, line 30.
Following: "violations of"
Insert: "the tax and directory requirements of"

3. Page 4, line 3.
Following: "with"
Insert: "the tax"

4. Page 4, line 6.
Following: "with"
Insert: "the tax"

5. Page 4, line 11.
Following: "Montana"
Insert: "to a person other than a licensed wholesaler or retailer"

6. Page 8, line 2.
Following: line 1
Insert: "(j) "Manufacturer's original container" means the original master shipping case or original shipping case used by the tobacco product manufacturer to ship multipack units, such as boxes, cartons, and sleeves, to warehouse distribution points."
Renumber: subsequent subsections

7. Page 9, line 7.
Strike: "and"
Insert: "wholesalers, or"

Strike: "10"
Insert: "30"

18. Page 19, line 1.

Following: "contraband"

Insert: ", with a value of \$1,000 or more,"

19. Page 19, line 24.

Following: "both."

Insert: "For a first offense, if a violation of this part involves contraband, the value of which does not exceed \$1,000, the offense is punishable by a fine of not less than \$100 or more than \$500 or by imprisonment in the county jail for not less than 30 days or more than 6 months, or both."

20. Page 20, line 3.

Following: "(3)"

Insert: "(a)"

Strike: "In"

Insert: "Except as provided in subsection (3)(b), in"

21. Page 20, line 9.

Following: line 8

Insert: "(b) A civil penalty may not be assessed to a person for a first violation of subsection (1) if the offense involves contraband with a value of \$1,000 or less."

22. Page 23, line 26.

Insert: "NEW SECTION. **Section 34. Enforcement.** The attorney general, a designee of the attorney general, or any person who holds a permit under 26 U.S.C. 5713 may bring an action in the appropriate Montana district court to prevent or restrain violations of [section 5] by any person or by a principal of the person."

Renumber: subsequent sections

23. Page 23, line 30.

Following: "6"

Insert: "and 34"

24. Page 24, line 2.

Following: "6"

Insert: "and 34"