

SENATE BILL No. 106

By Committee on Federal and State Affairs

1-26

9 AN ACT concerning cigarette lighters; amending K.S.A. 21-3105 and
10 repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 New Section 1. (a) It shall be unlawful for any retailer as defined in
14 K.S.A. 79-3602, and amendments thereto, to sell any cigarette lighter to
15 any person under 18 years of age. It shall be unlawful for any person
16 under 18 years of age to purchase or possess a cigarette lighter.

17 (b) Every retailer shall insure that all cigarette lighters are displayed
18 in such a manner that no person under 18 years of age may have access
19 to such lighters without assistance of an authorized person employed by
20 the retailer.

21 (c) Any person who violates this section shall be guilty of a cigarette
22 lighter infraction and subject to a fine of \$25 and court costs. Citations
23 shall be issued in accordance with procedures for the issuance of cigarette
24 or tobacco infractions as provided in K.S.A. 79-3393, and amendments
25 thereto.

26 (d) The state fire marshal shall issue rules and regulations to imple-
27 ment this section.

28 Sec. 2. K.S.A. 21-3105 is hereby amended to read as follows: 21-
29 3105. A crime is an act or omission defined by law and for which, upon
30 conviction, a sentence of death, imprisonment or fine, or both impris-
31 onment and fine, is authorized or, in the case of a traffic infraction or a
32 cigarette or tobacco infraction, a fine is authorized. Crimes are classified
33 as felonies, misdemeanors, traffic infractions and cigarette or tobacco
34 infractions.

35 (1) A felony is a crime punishable by death or by imprisonment in
36 any state correctional institution or a crime which is defined as a felony
37 by law.

38 (2) A traffic infraction is a violation of any of the statutory provisions
39 listed in subsection (c) of K.S.A. 8-2118 and amendments thereto.

40 (3) A cigarette or tobacco infraction is a violation of subsection (m)
41 or (n) of K.S.A. 79-3321 and amendments thereto.

42 (4) *A cigarette lighter infraction is a violation of section 1, and amend-*
43 *ments thereto.*

- 1 ~~(4)~~ (5) All other crimes are misdemeanors.
- 2 Sec. 3. K.S.A. 21-3105 is hereby repealed.
- 3 Sec. 4. This act shall take effect and be in force from and after its
- 4 publication in the statute book.