

Regular Session, 2013

HOUSE BILL NO. 300

BY REPRESENTATIVE COX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 40:1601(A) and to repeal R.S. 40:1601(C)(3), relative to novelty
3 lighters; to provide for definitions and application; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 40:1601(A) is hereby amended and reenacted to read as follows:

6 §1601. Novelty lighters

7 A. For the purposes of this Section, the following definitions shall apply
8 unless otherwise indicated:

9 (1) "~~Lighter or cigarette lighter~~" means ~~a flame-producing product~~
10 ~~commonly used by consumers to ignite cigarettes, cigars, and pipes, although the~~
11 ~~lighter may be used to ignite other materials. The term does not include matches or~~
12 ~~any other lighting device intended primarily for igniting materials other than~~
13 ~~smoking materials, such as fuel for fireplaces or for charcoal or gas-fired grills.~~
14 means a flame-producing device commonly used by consumers to ignite tobacco
15 products and mechanical devices primarily used to ignite fuel for fireplaces or for
16 charcoal or gas grills. The term does not include matches. This term includes
17 novelty lighters.

18 (2) "Novelty lighter" means a ~~mechanical or electrical device typically used~~
19 ~~for the igniting or lighting of cigarettes, cigars, or pipes~~ lighter that has a toylike
20 appearance, has entertaining audio or visual effects, or resembles in any way in form
21 or function an item that is commonly recognized as appealing, attractive, or intended
22 for use by young children, particularly those ten years of age or younger, including
23 such a device that takes toylike physical forms, including but not limited to toy

1 animals, cartoon characters, cars, boats, airplanes, common household items,
 2 weapons, cell phones, batteries, food, beverages, musical instruments, and watches
 3 or has flashing lights or other entertaining features. Novelty lighters may operate on
 4 any fuel, including butane or liquid fuel.

5 * * *

6 Section 2. R.S. 40:1601(C)(3) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____