### Regular Session, 2014

#### HOUSE BILL NO. 1166

#### BY REPRESENTATIVE ARNOLD

1	AN ACT
2	To amend and reenact R.S. 13:5073(A)(4)(f)(i) and (ii) and 5075(K), relative to tobacco
3	enforcement; to provide for certain liability relative to importers; and to provide for
4	related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 13:5073(A)(4)(f)(i) and (ii) and 5075(K) are hereby amended and
7	reenacted to read as follows:
8	§5073. Certifications; directory; tax stamps
9	А.
10	* * *
11	(4)
12	* * *
13	(f) In the case of a nonparticipating manufacturer located outside of the
14	United States, the nonparticipating manufacturer shall provide a declaration from
15	each of its importers into the United States of any of its brand families to be sold in
16	this state. The declaration shall be on a form prescribed by the attorney general and
17	shall state the following:
18	(i) The importer accepts joint and several liability with the nonparticipating
19	manufacturer for all obligations to place funds into a qualified escrow fund, for
20	payment of all civil penalties and for payment of all reasonable costs and expenses
21	of investigation and prosecution, including attorney fees.
22	(ii) The importer consents to personal jurisdiction in Louisiana for the
23	purposes of claims by the state for any obligation to place funds into a qualified

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	escrow fund, for payment of any civil penalties and for payment of any reasonable
2	costs and expenses of investigation or prosecution, including attorney fees.
3	* * *
4	§5075. Reporting of information; escrow installments
5	* * *
б	K. Importers of any brand families of a nonparticipating manufacturer in or
7	into the state shall be jointly and severally liable with the nonparticipating
8	manufacturer for all obligations to place funds into a qualified escrow fund, for
9	payment of all civil penalties and for payment of all reasonable costs and expenses
10	of investigation and prosecution, including attorney fees, and shall consent to
11	personal jurisdiction in Louisiana for the purposes of claims by the state for payment
12	of such obligations.
13	* * *

# SPEAKER OF THE HOUSE OF REPRESENTATIVES

# PRESIDENT OF THE SENATE

## GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_