



131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2157

H.P. 1383

House of Representatives, January 9, 2024

An Act to Prohibit Tobacco Sales near Schools

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MOONEN of Portland.

Cosponsored by Senator GUERIN of Penobscot and

Representatives: GRAHAM of North Yarmouth, MEYER of Eliot, SHAGOURY of Hallowell,

Senators: BAILEY of York, CARNEY of Cumberland, POULIOT of Kennebec.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1552, sub-§1-A** is enacted to read:

3 **1-A. Proximity to schools.** The department may not issue a new or renewed retail
4 tobacco license to a retailer located within 1,000 feet of a school in existence at the time
5 the application for the new or renewed license is made.

6 For the purposes of this subsection, "school" includes a public school, as defined in Title
7 20-A, section 1, subsection 24; a private school, as defined in Title 20-A, section 1,
8 subsection 22; a public preschool program, as defined in Title 20-A, section 1, subsection
9 23-A; and any other educational facility that serves children from prekindergarten to grade
10 12.

11 Distance must be measured from the main entrance of the retailer's premises to the main
12 entrance of the school by the ordinary course of travel.

13 **SUMMARY**

14 This bill prohibits the Department of Health and Human Services from issuing a new
15 or renewed retail tobacco license to a retailer operating within 1,000 feet of a school.