

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 355

102ND GENERAL ASSEMBLY

1449S.02C

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to the sale of certain lighters.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto
2 one new section, to be known as section 407.021, to read as
3 follows:

407.021. 1. For the purposes of this section, the
2 following terms shall mean:

3 (1) "Counterfeit lighter", any lighter that infringes
4 on the intellectual property rights of any citizen of the
5 United States or any entity that is protected by any federal
6 or state intellectual property law;

7 (2) "Lighter", any electrical or mechanical device
8 that:

9 (a) Operates using any type of fuel or power source,
10 including, but not limited to, butane, isobutene or another
11 liquid fuel, or source of electrical energy, including, but
12 not limited to, all types of batteries; and

13 (b) Is typically used to light cigarettes, cigars or
14 pipes, candles, charcoal or gas grills, or fireplaces;

15 (3) "Unsafe lighter":

16 (a) Any disposable or refillable lighters that do not
17 comply with American Society for Testing and Materials
18 Standard F400-20, as amended; and

19 (b) Any grill or utility lighters that do not comply
20 with American Society for Testing and Materials Standard
21 F2201-20, as amended.

22 2. Except as provided in subsection 3 of this section,
23 no person shall offer or sell any counterfeit lighters or
24 unsafe lighters in this state, including, but not limited
25 to, by way of providing a free sample to a person in this
26 state, regardless of whether such person is offering or
27 selling such lighters on a retail basis, wholesale basis,
28 online, or in person.

29 3. The provisions of this section shall not be
30 construed to prohibit:

31 (1) The interstate transportation of counterfeit
32 lighters or unsafe lighters through this state; or

33 (2) The storage of counterfeit lighters or unsafe
34 lighters in any distribution center or warehouse located in
35 this state if such distribution center or warehouse is
36 closed to the public and does not distribute or sell, at
37 retail, such lighters to the public.

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