

HR 4281

To amend the Tariff Act of 1930 and the Internal Revenue Code of 1986 relating to importation of tobacco products.

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Foreign Trade and International Finance

Introduced: Nov 9, 2005

Current Status: Referred to the House Committee on Ways and Means.

Latest Action: Referred to the House Committee on Ways and Means. (Nov 9, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/4281>

Sponsor

Name: Rep. Nunes, Devin [R-CA-21]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Ways and Means Committee	House	Referred To	Nov 9, 2005

Subjects & Policy Tags

Policy Area:

Foreign Trade and International Finance

Related Bills

No related bills are listed.

Amends the Tariff Act of 1930 to define "delivery sale" of a tobacco product as any sale of cigarettes or a smokeless tobacco product to a consumer if: (1) the consumer submits the purchase order by means of a telephone or other method of voice transmission, the mail, or the Internet or other online service, or the seller is otherwise not in the buyer's physical presence when the purchase request or order is made; or (2) the cigarettes or smokeless tobacco product is delivered by use of a common carrier, private delivery service, or the mail, or the seller is not in the buyer's physical presence when the buyer obtains personal possession of the delivered cigarettes or smokeless tobacco product.

Makes the personal use exemption from tobacco import requirements inapplicable to cigarettes or smokeless tobacco products sold in connection with a delivery sale.

Allows states access to copies of Customs Service certifications required for cigarette imports.

Permits any tobacco product, cigarette papers, or tube found in violation of the Act to be forfeited for destruction to any state in which it is found.

Authorizes persons who hold permits under the Internal Revenue Code concerning tobacco products, cigarette papers, and tubes to bring an action in the U.S. district courts against any person, other than a state, local, or tribal government, to prevent and restrain violations of the Act.

Authorizes state and local governments to bring civil actions for prevention or restraint against persons who violate the Act.

Subjects smokeless tobacco products to the same entry requirements and enforcement mechanisms as apply to certain cigarettes under the Act.

Amends the Internal Revenue Code to impose civil penalties against persons for relanding, except for personal use, tobacco products sold in a delivery sale.

Actions Timeline

- **Nov 9, 2005:** Introduced in House
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