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HOUSE MEMORIAL 48

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Joanne J. Ferrary and Deborah A. Armstrong and Karen C. Bash

A MEMORIAL

REQUESTING THE TAXATION AND REVENUE DEPARTMENT TO STUDY THE
NUMBER AND LOCATION OF TOBACCO RETAILERS IN NEW MEXICO.

WHEREAS, tobacco use remains the number one preventable
cause of death in the United States; and

WHEREAS, New Mexico law prohibits the sale of cigarettes,
chewing tobacco, e-cigarettes and all other tobacco products to
minors under eighteen years of age; and

WHEREAS, ten and six-tenths percent of New Mexico high
school students smoke cigarettes, eight and two-tenths percent
use chewing tobacco or dip, ten and two-tenths percent use
cigars and twenty-four and seven-tenths percent use
e-cigarettes, according to 2017 data from the department of
health; and

WHEREAS, tobacco retailers sold tobacco to minors in

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1 nearly fifteen percent of undercover attempts in 2016,
2 according to the human services department; and

3 WHEREAS, New Mexico does not require retailers to obtain a
4 license to sell tobacco products, which hinders enforcement of
5 tobacco control laws, including retailer training, compliance
6 checks and issuing penalties to retailers found violating laws;
7 and

8 WHEREAS, no single state agency is responsible for
9 maintaining a comprehensive list of tobacco retailers; and

10 WHEREAS, the taxation and revenue department collects
11 tobaccos and cigarette taxes from tobacco distributors;

12 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
13 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the taxation
14 and revenue department be requested to undertake a study during
15 the 2019 interim to determine the number of tobacco retailers
16 and the name and address of each retailer in New Mexico; and

17 BE IT FURTHER RESOLVED that the taxation and revenue
18 department present a report on the results of its study to the
19 appropriate interim legislative committees and to the human
20 services department by October 1, 2019; and

21 BE IT FURTHER RESOLVED that copies of this memorial be
22 transmitted to the secretary of taxation and revenue and the
23 secretary of human services.