

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FIVE

—  
H.P. 99 - L.D. 166

**An Act to Prohibit the Sale of Tobacco Products in Pharmacies and Retail Establishments Containing Pharmacies**

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

**Sec. 1. 22 MRSA §1551, sub-§6** is enacted to read:

**6. Pharmacy.** "Pharmacy" means a retail pharmacy as defined in Title 24-A, section 4347, subsection 19.

**Sec. 2. 22 MRSA §1551-A, sub-§6** is enacted to read:

**6. Pharmacies and retail establishments with a pharmacy ineligible for retail tobacco license; civil penalty; transfer of funds.** This subsection governs pharmacies and retail establishments containing a pharmacy.

A. A pharmacy is ineligible for a retail tobacco license. A pharmacy that engages in retail sales, including retail sales through vending machines or in free distribution of tobacco products, and sells, keeps for sale or gives away in the course of trade any tobacco products to anyone commits a civil violation for which a fine of not more than \$2,000 may be adjudged. Each day a pharmacy is in violation of this paragraph constitutes a separate offense.

B. A retail establishment containing a pharmacy is ineligible for a retail tobacco license. A retail establishment containing a pharmacy that engages in retail sales, including retail sales through vending machines or in free distribution of tobacco products, and sells, keeps for sale or gives away in the course of trade any tobacco products to anyone commits a civil violation for which a fine of not more than \$2,000 may be adjudged. Each day a retail establishment containing a pharmacy is in violation of this paragraph constitutes a separate offense.

**Sec. 3. 36 MRSA §4366-A, sub-§2**, as amended by PL 2025, c. 388, Pt. E, §4 and affected by §6, is further amended to read:

**2. Provided to sellers.** The State Tax Assessor shall provide stamps to a licensed distributor upon submission by the licensed distributor of a cigarette tax return in a form prescribed by the assessor. The stamps must be of a design suitable to be affixed to

packages of cigarettes as evidence of the payment of the tax imposed by this chapter. The assessor may permit a licensed distributor to pay for the stamps within 30 days after the date of purchase, if a bond satisfactory to the assessor in an amount not less than 50% of the sale price of the stamps has been filed with the assessor conditioned upon payment for the stamps. Such a distributor may continue to purchase stamps on a 30-day deferral basis only if it remains current with its cigarette tax obligations. The assessor may not sell additional stamps to a distributor that has failed to pay in full within 30 days for stamps previously purchased until such time as the overdue payment is received. ~~The assessor shall sell cigarette stamps to licensed distributors at the following discounts from their face value:~~

~~D. For stamps at the face value of 175 mills, the discount rate is 0.66%.~~

**Sec. 4. Effective date.** This Act takes effect April 1, 2026.