

## Arguments in Favor of Licensing Tobacco Retailers

### Arguments from the Opposition

### Countering the Opposition

Triple jeopardy; already laws on the books (STAKE Act, PC 308) that regulate tobacco sales to minors.	License can simplify enforcement through the identification of a single enforcement agency. A suspension or revocation of a license is a more effective deterrent than fines.
Unfriendly to small businesses; license fees are too high.	Licenses are the cost of doing business, e.g. to sell alcohol, or install ATM and lottery machines, you need to apply for the necessary licenses or permits and get approval. It also provides a level playing field for all businesses.
More bureaucracy for small businesses to comply with.	Licensing process can be streamlined to coincide with other licenses.
Responsible retailers should not be penalized.	If you don't sell to minors, you won't be penalized—it's that simple.
Youth should not be penalized for possession of tobacco.	Current law already includes provisions to penalize youth.
Penalties are too harsh; if a retailer gets his/her license suspended they would go out of business; fines should be levied instead of issuing a license.	Profits from tobacco sales should not come at the expense of the health of our youth. A licensing ordinance allows ample time to come into compliance before a penalty is issued. Suspending a license is the only legal option for cities and counties because levying fines for selling to minors is already covered by PC 308, a state law.
Sales to minors are just a matter of human error.	If all current laws are being followed there should be little human error of selling to a person under 18. There are also plenty of opportunities for the retailer to be in compliance due to the graduated penalty structure.
Retail owners already provide lots of training to their clerks and this adds an additional burden.	If they are already providing training to their employees, then that should minimize human error. However, clerk turnover is very high in retail establishments and they may not all get adequate training. Research shows that training alone doesn't reduce sales to minors.