

365.265 Legislative findings.

- (1) The General Assembly hereby finds and declares as follows:
 - (a) Cigarettes, because of their standardized character, their great popularity, their widespread and varied types of markets and methods of distribution and the sensitivity of their distribution to price fluctuations, possess a distinct marketing character and, the economic facts and circumstances peculiar to their distribution, require special and individualized treatment of the problems created by the sale of cigarettes below cost.
 - (b) The sale of cigarettes below cost for the purpose of destroying or substantially lessening competition is inimical to the orderly and efficient collection by the Commonwealth of excise taxes on cigarettes and taxes from the licensing of persons engaged in the sale of cigarettes at wholesale and retail.
 - (c) The sale of cigarettes below cost for the purpose of destroying or substantially lessening competition is an unfair business practice, which tends to be disorganizing in the sale and distribution of cigarettes, and ultimately fosters monopoly and high prices by tending to force independent wholesalers and retailers out of business.
- (2) The General Assembly hereby declares it to be the policy of this Commonwealth to promote the public welfare by prohibiting the sale of cigarettes below cost, and it is the purpose of KRS 365.280 to carry out that policy in the public interest.

Effective: July 13, 1990

History: Created 1990 Ky. Acts ch. 280, sec. 1, effective July 13, 1990.