SYNOPSIS: Existing law provides that the minimum age to purchase, use, or possess tobacco is 19 years. This bill would provide that a person must be 21 years of age or older to purchase, use, or possess tobacco products.

A BILL
TO BE ENTITLED
AN ACT

Relating to tobacco; to amend Section 28-11-13, Code of Alabama 1975, to provide that a person must be 21 years of age or older to purchase, use, or possess tobacco products.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 28-11-13, Code of Alabama 1975, is amended to read as follows:


"(a) It is unlawful for any minor person under the age of 21 years to purchase, use, possess, or transport tobacco, tobacco product, or alternative nicotine product
within this state. It shall not be unlawful for a minor an employee of a tobacco, tobacco product, or alternative nicotine product permit holder to handle, transport, or sell tobacco, tobacco product, or alternative tobacco product if the minor employee is under the age of 21 years and is acting within the line and scope of employment and the permit holder, or an employee of the permit holder who is 21 years of age or older, is present.

"(b) It is unlawful for any minor person under the age of 21 years to present or offer to another person proof of identification which is false, fraudulent, or not actually his or her own proof of identification in order to buy, receive, or otherwise obtain, or attempt to buy, receive, or otherwise obtain, any tobacco, tobacco product, or alternative nicotine product.

"(c) If a minor person under the age of 21 years is cited for any violation under this section, the citing agency shall notify a parent, legal guardian, or legal custodian of the minor person unless the person is aged 19 years or older or is a minor who has been emancipated by court order or operation of law."

Section 2. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.