

1 HB47
2 189162-1
3 By Representative Pringle
4 RFD: Judiciary
5 First Read: 09-JAN-18
6 PFD: 01/04/2018

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8 SYNOPSIS: Existing law provides that the minimum age
9 to purchase, use, or possess tobacco is 19 years.

10 This bill would provide that a person must
11 be 21 years of age or older to purchase, use, or
12 possess tobacco products.

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14 A BILL
15 TO BE ENTITLED
16 AN ACT

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

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

24 "§28-11-13.

25 "(a) It is unlawful for any ~~minor~~ person under the
26 age of 21 years to purchase, use, possess, or transport
27 tobacco, tobacco product, or alternative nicotine product

1 within this state. It shall not be unlawful for ~~a minor~~ an
2 employee of a tobacco, tobacco product, or alternative
3 nicotine product permit holder to handle, transport, or sell
4 tobacco, tobacco product, or alternative tobacco product if
5 the ~~minor~~ employee is under the age of 21 years and is acting
6 within the line and scope of employment and the permit holder,
7 or an employee of the permit holder who is 21 years of age or
8 older, is present.

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

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

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