



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

Senate: ED DP 6-0-0-1 | 3rd Read 28-1-1-0

House: ED DPA/SE 11-1-0-0

SB 1247: Arizona teachers academy; community colleges

S/E: tobacco use; sale; minimum age

Sponsor: Senator Farnsworth, LD 10

Caucus & COW

Summary of the Strike-Everything Amendment to SB 1247

Overview

Conforms the state minimum legal age (18) to buy or possess a tobacco product to the federal minimum legal age (21).

History

In 2019, Congress passed legislation amending the Food, Drug and Cosmetic (FD&C) Act that raised the federal minimum age for the sale of tobacco products from 18 to 21 years old. With this change, it is illegal for a retailer to sell any tobacco product to anyone who is not at least 21 years old ([21 U.S.C. § 387f](#)).

It is a petty offense for: 1) a person to knowingly sell, give or furnish a tobacco product, a vapor product or any instrument or paraphernalia solely designed for smoking or ingesting tobacco or shisha to a minor; or 2) a minor to buy, possess or knowingly accept and receive a tobacco product, a vapor product or any instrument or paraphernalia solely designed for smoking or ingesting tobacco or shisha. It is a class 3 misdemeanor for a retail tobacco vendor to sell, furnish, give or provide beedies or bidis to a minor.

Tobacco product means cigars, cigarettes and cigarette papers, smoking tobacco or chewing tobacco of any kind. *Shisha* includes any mixture of tobacco leaf and honey, molasses, dried fruit or any other sweetener. *Vapor product* is a noncombustible tobacco-derived product containing nicotine that employs a mechanical heating element, battery or circuit that can be used to heat liquid nicotine solution in cartridges, not including any product regulated by the U.S. Food and Drug Administration under the FD&C Act. *Beedies* or *bidis* is a product containing tobacco that is wrapped in temburni or tendu leaf, or any other product that is offered to, or purchased by, consumers as beedies or bidis (A.R.S. §§ [13-3622](#), [36-798](#) and [36-798.01](#)).

Provisions

1. Raises the minimum legal age to buy, possess or knowingly receive and accept a tobacco product, a vapor product or any instrument or paraphernalia solely designed for smoking or ingesting tobacco or shisha from 18 to 21 years old. (Sec. 1)
2. Makes technical and conforming changes. (Sec. 1, 2, 3)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note