

TOBACCO SALES TO MINORS AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Merrill F. Nelson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies penalties for the sale of a tobacco or electronic cigarette product to a minor by a tobacco retailer employee.

Highlighted Provisions:

This bill:

► modifies the penalties for the sale of a tobacco or electronic cigarette product to a minor by a tobacco retailer employee.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-10-114, as enacted by Laws of Utah 2020, Chapter 302

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-10-114** is amended to read:

76-10-114. Unlawful sale of a tobacco product or electronic cigarette product.

(1) As used in this section:

(a) "Compensatory service" means service or unpaid work performed by an employee,



28 in lieu of the payment of a fine or imprisonment.

29 (b) "Employee" means an employee or an owner of a tobacco retailer.

30 (2) It is unlawful for an employee to knowingly or intentionally sell or give a tobacco
31 product or an electronic cigarette product in the course of business to an individual who is
32 under 21 years old.

33 (3) An employee who violates this section is:

34 (a) on a first violation:

35 (i) guilty of ~~[an infraction]~~ a class C misdemeanor; and

36 (ii) subject to:

37 (A) a fine not exceeding \$1,000; or

38 (B) compensatory service;

39 (b) on a second violation:

40 (i) guilty of a class B misdemeanor; and

41 (ii) subject to:

42 (A) a fine not exceeding \$1,500; or

43 (B) compensatory service; or

44 ~~[(b)]~~ (c) on any subsequent violation:

45 (i) guilty of a class ~~[C]~~ A misdemeanor; and

46 (ii) subject to:

47 (A) a fine not exceeding \$2,000; or

48 (B) compensatory service.