

HOUSE BILL 358

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HB 1308/97 - ENV

1998 Regular Session
8r1627

By: **Delegates Schade and Ports**

Introduced and read first time: January 30, 1998

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Tobacco Products - Purchase by Minors - Prohibition**

3 FOR the purpose of prohibiting minors from purchasing any tobacco product or
4 cigarette rolling papers unless the minors are acting as the agents of the minors'
5 employers within the scope of employment; and generally relating to prohibiting
6 minors from purchasing tobacco products.

7 BY repealing and reenacting, with amendments,
8 Article 27 - Crimes and Punishments
9 Section 406
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 1997 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 27 - Crimes and Punishments**

15 406.

16 (a) A minor may not:

17 (1) Use or, unless acting as the agent of the minor's employer within the
18 scope of employment, possess OR PURCHASE any tobacco product or cigarette rolling
19 papers; or

20 (2) Use any falsified identification, or use any identification other than
21 his or her own, for the purpose of obtaining or attempting to obtain tobacco products
22 or cigarette rolling papers.

23 (b) For purposes of this section, a violation of the provisions of this section is
24 deemed a Code violation and is a civil offense.

25 (c) An individual who violates the provisions of this section shall be subject to
26 the procedures and dispositions provided in Title 3, Subtitle 8 of the Courts and
27 Judicial Proceedings Article.

1 (d) A law enforcement officer authorized to make arrests shall issue a citation
2 to a person if the officer has probable cause to believe that the child is committing or
3 has committed a Code violation.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 1998.