

**SENATE BILL NO. 217**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY SENATOR DUNCAN

Introduced: 1/12/98

Referred: State Affairs, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the offense of selling or giving tobacco to a minor; and  
2 providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** AS 11.76.100(a) is amended to read:

5 (a) A person commits the offense of selling or giving tobacco to a minor if the  
6 person

7 (1) negligently sells a cigarette, a cigar, tobacco, or a product  
8 containing tobacco to a person under 19 years of age;

9 (2) is 19 years of age or older and

10 [(1)] negligently [SELLS,] exchanges [,] or gives a cigarette, a cigar,  
11 tobacco, or a product containing tobacco to a person under 19 years of age; or

12 (3) [(2)] maintains a vending machine that dispenses cigarettes, cigars,  
13 tobacco, or products containing tobacco.

14 \* **Sec. 2.** AS 11.76.100(b) is amended to read:

1           (b) Notwithstanding the provisions of (a) of this section, a person who  
2 maintains a vending machine is not in violation of (a)(3) [(a)(2)] of this section if the  
3 vending machine is located

4                   (1) on premises licensed as a beverage dispensary under AS 04.11.090,  
5 licensed as a club under AS 04.11.110, or licensed as a package store under  
6 AS 04.11.150; and

7                           (A) as far as practicable from the primary entrance; and

8                           (B) in a place that is directly and continually supervised by a  
9 person employed on the licensed premises during the hours the vending  
10 machine is accessible to the public; or

11                   (2) in an employee break room or other controlled area of a private  
12 work place that is not generally considered a public place.

13 \* **Sec. 3.** This Act takes effect July 1, 1998.