

1 IN THE SENATE

BY FAIKS

2

SENATE BILL NO. 339

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to tobacco products."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 11.76.100 is repealed and reenacted to read:

9 Sec. 11.76.100. SELLING OR GIVING TOBACCO TO A MINOR. (a) A
10 person, being 19 years of age or older, commits the offense of selling
11 or giving tobacco to a minor if the person

12 (1) knowingly sells, exchanges, or gives a cigarette, a
13 cigar, tobacco, or a product containing tobacco to a person under 19
14 years of age; or

15 (2) maintains a vending machine that dispenses cigarettes,
16 cigars, tobacco, or products containing tobacco and that is accessible
17 to persons under 19 years of age.

18 (b) Selling or giving tobacco to a minor is a violation.

19 (c) Notwithstanding the provisions of (a) of this section, a
20 person who maintains a vending machine is not in violation of (a)(2)
21 of this section if

22 (1) only the person who owns or maintains the vending
23 machine, or an employee of the person, can operate the machine, either
24 directly or through a remote control device that is inaccessible to
25 the customer and that must be activated for each sale; or

26 (2) the vending machine is located at a business establish-
27 ment, place of employment or private club at which a person under 19
28 years of age is not employed and into which a person under 19 years of
29 age is not allowed entry unless accompanied by a parent, guardian, or

