

Original sponsors: Faiks and Binkley

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 339 (Judiciary)

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 AS 11.76.100 is repealed and reenacted to read: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) Notwithstanding the provisions of (a) of this section, a
19 person who maintains a vending machine is not in violation of (a)(2)
20 of this section if

21 (1) the vending machine is in a location that is generally
22 supervised by a person who maintains the vending machine, or an em-
23 ployee of the person, during the hours the machine is accessible;

24 (2) the vending machine is in a location where a person
25 under 21 years of age, other than an employee of the owner of the
26 premises, is not allowed entry by law unless accompanied by a parent,
27 guardian, or spouse of the person who is 21 years of age or older; or

28 (3) the vending machine is in a location where a person
29 under 19 years of age is not allowed entry by policy of the owner of

1 the premises unless accompanied by a person 19 years of age or older.

2 (c) In this section, a person maintains a vending machine if the
3 person owns the machine or owns or controls a facility in which the
4 machine is located.

5 (d) Selling or giving tobacco to a minor is a violation.