

HOUSE BILL NO. 9

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES GRUENBERG, Brown, Ellis

Introduced: 1/21/91

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to tobacco."

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

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

4 (a) Except as provided in (f) of this section, a person commits the offense of selling or
5 giving tobacco to a minor if the person is 19 years of age or older and

6 (1) knowingly sells, exchanges, or gives [A CIGARETTE, A CIGAR, TOBACCO,
7 OR A PRODUCT CONTAINING] tobacco to a person under 19 years of age; or

8 (2) maintains a vending machine that dispenses [CIGARETTES, CIGARS,
9 TOBACCO, OR PRODUCTS CONTAINING] tobacco and that is accessible to persons under
10 19 years of age.

11 * **Sec. 2.** AS 11.76.105(a) is amended to read:

12 (a) A person under 19 years of age may not knowingly possess [A CIGARETTE, A
13 CIGAR, TOBACCO, OR A PRODUCT CONTAINING] tobacco in this state. This subsection
14 does not apply to a person who is a prisoner at an adult correctional facility.

1 * Sec. 3. AS 11.76 is amended by adding a new section to read:

2 Sec. 11.76.108. RETAIL PROMOTION OF TOBACCO. (a) Except as provided in (b)
3 of this section, a person may not provide tobacco to another person without charge or for a
4 nominal fee, for the purpose of promoting retail sales.

5 (b) A person may provide small samples of tobacco without charge or for a nominal fee
6 to a person 19 years of age or older for the purpose of promoting retail sales, if the samples are
7 provided

8 (1) in a retail store that sells primarily tobacco;

9 (2) at a trade show or convention from which the general public is excluded; or

10 (3) in conjunction with a separate sale of tobacco by a retailer, manufacturer, or
11 distributor.

12 (c) A person who provides tobacco in violation of this section is guilty of a violation.

13 * Sec. 4. AS 11.81.900(b) is amended by adding a new paragraph to read:

14 (58) "tobacco" means a cigarette as defined in AS 43.50.170 or tobacco product
15 as defined in AS 43.50.390.