

CS FOR HOUSE BILL NO. 9 (RULES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE

Offered: 4/5/91

Referred: Rules

Sponsor(s): REPRESENTATIVES GRUENBERG, Brown, Ellis

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the crime of selling, giving, or possessing tobacco and to promotion**
2 **of retail sales of tobacco."**

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

4 *** Section 1.** AS11.76.100(a) is amended to read:

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

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

9 (2) maintains a vending machine that dispenses [CIGARETTES, CIGARS,
10 TOBACCO, OR PRODUCTS CONTAINING] tobacco and that is accessible to persons under
11 19 years of age.

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

13 (a) A person under 19 years of age may not knowingly possess [A CIGARETTE, A
14 CIGAR, TOBACCO, OR A PRODUCT CONTAINING] tobacco in this state. [THIS

1 SUBSECTION DOES NOT APPLY TO A PERSON WHO IS A PRISONER AT AN ADULT
2 CORRECTIONAL FACILITY.]

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

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

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

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

11 (2) at a trade show or convention from which persons under age 19 are excluded;

12 or

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

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

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

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

19 * Sec. 5. AS 11.76.100(f) is repealed.