

HOUSE BILL NO. 70
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KUBINA

Introduced: 1/23/91

Referred: Health, Education and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to selling or giving tobacco to a minor and to possession of tobacco by
2 a minor; and 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) 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 18 [19] years of age or older and

7 (1) knowingly sells, exchanges, or gives a cigarette, a cigar, tobacco, or a product
8 containing tobacco to a person under 18 [19] years of age; or

9 (2) maintains a vending machine that dispenses cigarettes, cigars, tobacco, or
10 products containing tobacco and that is accessible to persons under 18 [19] years of age.

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

12 (b) Notwithstanding the provisions of (a) of this section, a person who maintains a
13 vending machine is not in violation of (a)(2) of this section if

14 (1) the vending machine is in a location that is generally supervised by a person

1 who maintains the vending machine, or an employee of the person, during the hours the machine
2 is accessible;

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

6 (3) the vending machine is in a location where a person under 18 [19] years of
7 age is not allowed entry by policy of the owner of the premises unless accompanied by a person
8 18 [19] years of age or older.

9 * Sec. 3. AS 11.76.105(a) is amended to read:

10 (a) A person under 18 [19] years of age may not knowingly possess a cigarette, a cigar,
11 tobacco, or a product containing tobacco in this state. This subsection does not apply to a person
12 who is a prisoner at an adult correctional facility.

13 * Sec. 4. This Act takes effect July 1, 1991.