

PUBLIC ACT # 19-13: An Act Prohibiting the Sale of Cigarettes, Tobacco Products, Electronic Nicotine Delivery Systems and Vapor Products to Persons under Age 21

“Tobacco 21”

Public Act Summary¹

- 1) Increases the legal age of sale for tobacco products² from 18 to 21, effective October 1, 2019.
 - a. Sellers and their agents or employees must ask a prospective buyer *who appears to be under the age of 30* for proper proof of age.
 - b. Purchaser: Any person under the age of 21 years of age who misrepresents their age to purchase tobacco products in any form will be fined \$50 for the first offense, and not less than \$50 or more than \$100 for each subsequent offense.
 - c. Signage: At each point of sale, businesses shall place and maintain in legible condition a notice to customers that states:
 - i. The sale, giving or delivering of tobacco products to any person under 21 years of age is prohibited by law;
 - ii. The use of false identification by a person under 21 years of age to purchase tobacco products is prohibited, and
 - iii. The penalties and fines for violating the purchasing laws.
 - d. Vending Machines: No machine may be placed in an area, facility, or business which may be accessed by persons under the age of 21 unless it is placed in an area, facility or business permitted under chapter 545 that has a separate entrance accessible only to persons 21 years of age or older and the machine is placed in that separate area.
 - e. Current exemption remains in place for persons who are part of a tobacco use prevention research study.
- 2) Expands the Clean Indoor Air Act to prohibit the use of all tobacco products, including ENDS and vapor products, to all school property [“within a school building or on the grounds of such school”] at all times.
- 3) Expands the Clean Indoor Air Act to prohibit the use of all tobacco products, including ENDS and vapor products, at all day care center facilities and grounds at all times. (Exception for family home day cares, where use is prohibited only during the hours when children are present).

¹Summary prepared by the Department of Public Health Tobacco Control Program as a general summary of Public Act #19-13; anyone performing duties related to this new law should review the formal language for concurrence.