

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Enrolled: H3/4/99 S4/1/99

A Bill

Act 1331 of 1999
HOUSE BILL 1525

5 By: Representative Hausam
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE IT UNLAWFUL FOR A PERSON UNDER
10 EIGHTEEN YEARS OF AGE TO POSSESS, PURCHASE OR USE
11 CIGARETTES OR OTHER TOBACCO PRODUCTS; TO PRESCRIBE
12 PENALTIES FOR VIOLATIONS HEREOF; AND FOR OTHER
13 PURPOSES. "

Subtitle

15 "TO MAKE IT UNLAWFUL FOR A PERSON UNDER
16 EIGHTEEN YEARS OF AGE TO POSSESS, PURCHASE
17 OR USE CIGARETTES OR OTHER TOBACCO PRODUCTS;
18 TO PRESCRIBE PENALTIES FOR VIOLATIONS. "

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. It is unlawful for a person under eighteen (18) years of age
25 to possess, unless acting as an agent of his employer within the scope of
26 employment, purchase, or use any cigarettes or other tobacco products. Persons
27 under eighteen (18) years of age may be enlisted to assist an authorized agent
28 or representative of a state or local law enforcement authority, the Arkansas
29 Tobacco Control Board, the Arkansas Department of Health, or other state
30 governmental agency in testing compliance with laws relating to the
31 prohibition of the sale of tobacco in any form or cigarette papers to minors,
32 provided the testing is conducted under the direction or supervision of an
33 authorized agent or representative of a state or local law enforcement
34 authority, the Arkansas Tobacco Control Board, the Arkansas Department of
35 Health, or other governmental agency monitoring illegal sales of tobacco to
36 minors, and written parental or legal guardian consent has been provided after

1 the consenting parent or guardian has received from the testing entity written
2 information about the duties which such persons under eighteen (18) years of
3 age will be asked to perform and the methods and procedures to be employed in
4 carrying out such duties.

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6 SECTION 2. Any cigarettes or tobacco products found in the possession
7 of a person under eighteen (18) years of age may be confiscated by a certified
8 law enforcement officer or a school official and immediately destroyed.

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10 SECTION 3. All provisions of this act of a general and permanent nature
11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
12 Revision Commission shall incorporate the same in the Code.

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14 SECTION 4. If any provision of this act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the act which can be given effect without
17 the invalid provision or application, and to this end the provisions of this
18 act are declared to be severable.

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20 SECTION 5. All laws and parts of laws in conflict with this act are
21 hereby repealed.

22 /s/ Hausam

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25 APPROVED: 4/12/1999
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