

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1957

By: Representatives Walker and Hutchinson

"AN ACT TO PROHIBIT THE SALE OF TOBACCO PRODUCTS TO MINORS;
AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. For the purposes of this Act:

- (a) "Minor" means a person under 18 years of age;
- (b) "Proper identification" means a government document containing a description of the person or such person's photograph, or both, and indicating the person's date of birth. Such government documents include but are not limited to passports, military identification and drivers licenses;
- (c) "Tobacco products" means cigarettes, cigars, pipe tobacco, snuff, tobacco in any other form, tobacco paper, tobacco wrappers and other products or devices which are used in making cigarettes or tobacco.

SECTION 2. (a) It is unlawful for any person to:

- (1) Sell, barter, furnish or give away tobacco products to a minor;
- (2) Purchase or otherwise procure any tobacco products for a minor; or
- (3) Persuade, advise, counsel or compel any minor to smoke, inhale, chew or otherwise use tobacco products.

(b) It shall be a defense to prosecution under this Section that the minor furnished proper identification to the person furnishing the tobacco products.

SECTION 3. It is unlawful for any minor to:

- (a) Purchase or otherwise procure tobacco products; or
- (b) Misrepresent the minor's identity or age or use false identification for the purpose of purchasing or procuring tobacco products.

SECTION 4. Every person who owns or operates a place of business in which tobacco products are sold or offered for sale shall post a sign in a conspicuous place which shall contain the following statement:

"SALE OF CIGARETTES, TOBACCO AND OTHER TOBACCO PRODUCTS TO PERSONS UNDER 18 YEARS OF AGE IS PROHIBITED BY LAW."

The sign shall be printed on a white background in red letters at least one-half inch in height. Every person owning or operating a vending machine which dispenses tobacco products shall post the sign on the vending machines.

SECTION 5. Violations of this Act shall constitute class C misdemeanors.

