**§1580-F. Furnishing or allowing consumption of tobacco products by certain persons prohibited**

**1. Definitions.**  As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Minor" means a person who has not reached the age of 21 years, unless the person has attained 18 years of age as of July 1, 2018. [PL 2019, c. 495, §3 (NEW).]

B. "Tobacco product" has the same meaning as in section 1551, subsection 3. [PL 2019, c. 495, §3 (NEW).]

[PL 2019, c. 495, §3 (NEW).]

**2. Offense.**  Except as provided in subsection 3, a person who is 21 years of age or older may not knowingly:

A. Procure, or in any way aid or assist in procuring, furnish, give, sell or deliver a tobacco product for or to a minor. The following penalties apply to violations of this paragraph.

(1) A person who violates this paragraph commits a Class D crime.

(2) A person who violates this paragraph commits a Class D crime for which a fine of not less than $500 may be imposed, none of which may be suspended, if the violation involves a minor who is less than 18 years of age.

(3) A person who violates this paragraph after having been previously convicted of violating this paragraph or paragraph B within a 6-year period commits a Class D crime for which a fine of not less than $1,000 may be imposed, none of which may be suspended.

(4) A person who violates this paragraph after having been previously convicted of violating this paragraph or paragraph B 2 or more times within a 6-year period commits a Class D crime for which a fine of not less than $1,500 may be imposed, none of which may be suspended; or [PL 2019, c. 495, §3 (NEW).]

B. Allow a minor under that person's control or in a place under that person's control to possess or consume a tobacco product. The following penalties apply to violations of this paragraph.

(1) A person who violates this paragraph commits a Class D crime.

(2) A person who violates this paragraph commits a Class D crime for which a fine of not less than $1,000 may be imposed, none of which may be suspended, if the violation involves a minor who is less than 18 years of age.

(3) A person who violates this paragraph after having been previously convicted of violating this paragraph or paragraph A within a 6-year period commits a Class D crime for which a fine of not less than $2,000 may be imposed, none of which may be suspended. [PL 2019, c. 495, §3 (NEW).]

[PL 2019, c. 495, §3 (NEW).]

**3. Exceptions.**  This section does not apply to a licensee under chapter 262‑A or an agent of that licensee in the scope of employment.

[PL 2019, c. 495, §3 (NEW).]

SECTION HISTORY

PL 2019, c. 495, §3 (NEW).

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