
SECOND ENGROSSED SUBSTITUTE HOUSE BILL 1746

State of Washington

55th Legislature

1998 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Sherstad, Morris, Radcliff, Hatfield, D. Schmidt, Grant, Pennington, Sullivan, Koster, Mulliken, Wood, L. Thomas, Scott, Carrell, Doumit, Sheahan, Huff, Kastama, Boldt, Hickel, McMorris, Thompson, Cooke and Dunshee)

Read first time 03/05/97.

1 AN ACT Relating to making minor possession of tobacco a class 3
2 civil infraction and clarifying penalties for violation of current laws
3 regarding youth access to tobacco; amending RCW 70.155.020 and
4 70.155.080; and prescribing penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 70.155.020 and 1993 c 507 s 3 are each amended to read
7 as follows:

8 A person who holds a license issued under RCW 82.24.520 or
9 82.24.530 shall:

10 (1) Display the license or a copy in a prominent location at the
11 outlet for which the license is issued; and

12 (2) Display a sign concerning the prohibition of tobacco sales to
13 minors.

14 Such sign shall:

15 (a) Be posted so that it is clearly visible to anyone purchasing
16 tobacco products from the licensee;

17 (b) Be designed and produced by the department of health to read:
18 "THE SALE OF TOBACCO PRODUCTS TO PERSONS UNDER AGE 18 IS STRICTLY
19 PROHIBITED BY STATE LAW. IF YOU ARE UNDER 18, YOU COULD BE

1 ((PENALIZED)) FINED AND BE REQUIRED TO PARTICIPATE IN 4 HOURS OF
2 COMMUNITY SERVICE FOR PURCHASING A TOBACCO PRODUCT; PHOTO ID REQUIRED;
3 and

4 (c) Be provided free of charge by the liquor control board.

5 **Sec. 2.** RCW 70.155.080 and 1993 c 507 s 9 are each amended to read
6 as follows:

7 (1) A person under the age of eighteen who purchases or attempts to
8 purchase, possesses or attempts to possess, or obtains or attempts to
9 obtain cigarettes or tobacco products commits a class 3 civil
10 infraction under chapter 7.80 RCW and is subject to a fine as set out
11 in chapter 7.80 RCW ((~~or~~)) and participation in four hours of community
12 service. The court may also require participation in a smoking
13 cessation program(~~(, or both)~~). This provision does not apply if a
14 person under the age of eighteen, with parental authorization, is
15 participating in a controlled purchase as part of a liquor control
16 board, law enforcement, or ((~~local health department~~)) licensee under
17 RCW 82.24.530 activity.

18 (2) Municipal and district courts within the state have
19 jurisdiction for enforcement of this section. All fines collected
20 under this section shall be retained by the court of jurisdiction.

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