

1 AN ACT in relation to criminal law.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. The Sale of Tobacco to Minors Act is amended
5 by changing Section 1 as follows:

6 (720 ILCS 675/1) (from Ch. 23, par. 2357)

7 Sec. 1. No minor under 18 years of age shall buy any
8 cigar, cigarette, smokeless tobacco or tobacco in any of its
9 forms. No person shall sell, buy for, distribute samples of
10 or furnish any cigar, cigarette, smokeless tobacco or tobacco
11 in any of its forms, to any minor under 18 years of age. No
12 minor under 18 years of age may be employed or permitted to
13 sell any cigar, cigarette, smokeless tobacco, or tobacco in
14 any of its forms at a retail establishment authorized to sell
15 tobacco products. No minor under 18 years of age may sell
16 any cigar, cigarette, smokeless tobacco, or tobacco in any of
17 its forms at a retail establishment authorized to sell
18 tobacco products. This Section does not apply to a sales
19 clerk in a family-owned business which can prove that the
20 sales clerk is in fact a son or daughter of the owner.

21 For the purpose of this Section, "smokeless tobacco"
22 means any tobacco products that are suitable for dipping or
23 chewing.

24 Tobacco products listed above may be sold through a
25 vending machine only in the following locations:

- 26 (1) Factories, businesses, offices, private clubs,
27 and other places not open to the general public.
- 28 (2) Places to which minors under 18 years of age
29 are not permitted access.
- 30 (3) Places where alcoholic beverages are sold and
31 consumed on the premises.

1 (4) Places where the vending machine is under the
2 direct supervision of the owner of the establishment or
3 an employee over 18 years of age. The sale of tobacco
4 products from a vending machine under direct supervision
5 of the owner or an employee of the establishment is
6 considered a sale of tobacco products by that person. As
7 used in this subdivision, "direct supervision" means that
8 the owner or employee has an unimpeded line of sight to
9 the vending machine.

10 (5) Places where the vending machine can only be
11 operated by the owner or an employee over age 18 either
12 directly or through a remote control device if the device
13 is inaccessible to all customers.

14 (Source: P.A. 89-181, eff. 7-19-95.)