

AN ACT in relation to criminal law.

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

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

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

Sec. 1. Prohibition on sale of tobacco to minors;
vending machines; lunch wagons.

(a) No minor under 18 years of age shall buy any cigar,
cigarette, smokeless tobacco or tobacco in any of its forms.
No person shall sell, buy for, distribute samples of or
furnish any cigar, cigarette, smokeless tobacco or tobacco in
any of its forms, to any minor under 18 years of age.

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

(b) Tobacco products listed above may be sold through a
vending machine only in the following locations:

(1) Factories, businesses, offices, private clubs,
and other places not open to the general public.

(2) Places to which minors under 18 years of age
are not permitted access.

(3) Places where alcoholic beverages are sold and
consumed on the premises.

(4) Places where the vending machine is under the
direct supervision of the owner of the establishment or
an employee over 18 years of age. The sale of tobacco
products from a vending machine under direct supervision
of the owner or an employee of the establishment is
considered a sale of tobacco products by that person. As
used in this subdivision, "direct supervision" means that

the owner or employee has an unimpeded line of sight to the vending machine.

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

(c) The sale or distribution at no charge of cigarettes from a lunch wagon engaging in any sales activity within 1,000 feet of any public or private elementary or secondary school grounds is prohibited.

For the purpose of this Section, "lunch wagon" means a mobile vehicle designed and constructed to transport food and from which food is sold to the general public.

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