

# SB0555



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB0555

Introduced 2/23/2021, by Sen. Melinda Bush

#### SYNOPSIS AS INTRODUCED:

20 ILCS 301/55-36 new

Amends the Substance Use Disorder Act. Permits the Department of Human Services to conduct compliance checks of tobacco and vape retailers to investigate whether such retailers are selling tobacco products, electronic nicotine products, alternative nicotine products, or e-cigarettes to persons under 21 years of age in violation of the Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act. Provides that the Department may expand the use of existing tobacco compliance check programs to include vape shops. Provides that compliance checks may be conducted by underage individuals under the supervision of local law enforcement. Provides that underage individuals who purchase tobacco products, electronic nicotine devices, alternative nicotine products, or e-cigarettes while conducting supervised compliance checks shall not be in violation of the Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act.

LRB102 14504 KTG 19857 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Substance Use Disorder Act is amended by  
5 adding Section 55-36 as follows:

6 (20 ILCS 301/55-36 new)

7 Sec. 55-36. Compliance checks; tobacco and vape retailers.

8 (a) Definitions. As used in this Section:

9 "Alternative nicotine product" has the meaning ascribed to  
10 that term in Section 1 of the Prevention of Tobacco Use by  
11 Persons under 21 Years of Age and Sale and Distribution of  
12 Tobacco Products Act.

13 "E-cigarette" has the meaning ascribed to the term  
14 "electronic cigarette" in Section 1 of the Prevention of  
15 Tobacco Use by Persons under 21 Years of Age and Sale and  
16 Distribution of Tobacco Products Act.

17 "Vape shop" means any retail or service establishment that  
18 devotes 51% or more of its floor area to the sale and display  
19 of electronic cigarettes or e-cigarettes or allows vaping on  
20 site.

21 (b) As a means to reduce the consumption of tobacco  
22 products, electronic nicotine devices, alternative nicotine  
23 products, and e-cigarettes by persons under 21 years of age,

1 the Department may conduct compliance checks of tobacco and  
2 vape retailers to investigate whether such retailers are  
3 selling tobacco products, electronic nicotine products,  
4 alternative nicotine products, or e-cigarettes to persons  
5 under 21 years of age in violation of the Prevention of Tobacco  
6 Use by Persons under 21 Years of Age and Sale and Distribution  
7 of Tobacco Products Act. The Department may expand the use of  
8 existing tobacco compliance check programs to include vape  
9 shops. Compliance checks may be conducted by underage  
10 individuals under the supervision of local law enforcement.  
11 Underage individuals who purchase tobacco products, electronic  
12 nicotine devices, alternative nicotine products, or  
13 e-cigarettes while conducting supervised compliance checks  
14 shall not be in violation of the Prevention of Tobacco Use by  
15 Persons under 21 Years of Age and Sale and Distribution of  
16 Tobacco Products Act.