

1 AN ACT concerning minors.

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

4 Section 5. The Sale of Tobacco to Minors Act is amended  
5 by changing the title of the Act and Sections 0.01, 1, and 2  
6 as follows:

7 (720 ILCS 675/Act title)

8 An Act to prevent the use or possession of tobacco by  
9 minors ~~prohibit minors from buying or selling tobacco in any~~  
10 ~~of its forms, to prohibit selling, giving or furnishing~~  
11 ~~tobacco, in any of its forms, to minors, and providing~~  
12 ~~penalties therefor.~~

13 (720 ILCS 675/0.01) (from Ch. 23, par. 2356.9)

14 Sec. 0.01. Short title. This Act may be cited as the  
15 Prevention of Tobacco Use by Sale of Tobacco to Minors Act.

16 (Source: P.A. 86-1324.)

17 (720 ILCS 675/1) (from Ch. 23, par. 2357)

18 Sec. 1. Sale to and possession by minors of tobacco  
19 prohibited.

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

25 (b) No minor under 18 years of age shall possess any  
26 cigar, cigarette, smokeless tobacco, or tobacco in any of its  
27 forms.

28 (c) For the purpose of this Section, "smokeless tobacco"  
29 means any tobacco products that are suitable for dipping or

1 chewing.

2 (d) Tobacco products listed in this Section above may be  
3 sold through a vending machine only in the following  
4 locations:

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

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

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

11 (4) Places where the vending machine is under the  
12 direct supervision of the owner of the establishment or  
13 an employee over 18 years of age. The sale of tobacco  
14 products from a vending machine under direct supervision  
15 of the owner or an employee of the establishment is  
16 considered a sale of tobacco products by that person. As  
17 used in this subdivision, "direct supervision" means that  
18 the owner or employee has an unimpeded line of sight to  
19 the vending machine.

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

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

25 (720 ILCS 675/2) (from Ch. 23, par. 2358)

26 Sec. 2. Any person who violates Section 1 ~~any--provision~~  
27 of this Act is guilty of a petty offense and for the first  
28 offense shall be fined \$200, \$400 for the second offense in a  
29 12-month period, and \$600 for the third or any subsequent  
30 offense in a 12-month period. In addition to or instead of  
31 any other penalty imposed for a violation of Section 1 of  
32 this Act, the court may impose a term of up to 25 hours of  
33 community service for the first offense, a term of up to 30

1 hours of community service for the second offense in a  
2 12-month period, and a term of up to 50 hours of community  
3 service for the third or any subsequent offense in a 12-month  
4 period. One-half of each fine collected under this Section  
5 shall be distributed to the unit of local government or other  
6 entity that successfully prosecuted the offender and one-half  
7 shall be remitted to the State to be used for enforcing this  
8 Act.

9 (Source: P.A. 88-418.)