
DIGEST

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HB 473 Engrossed

2021 Regular Session

Mincey

Abstract: Raises the minimum age for the prohibition of the distribution or sale of tobacco, alternative nicotine products, or vapor products from persons under the age of 18 to those under the age of 21.

Present law prohibits the distribution of promotional samples of any tobacco product, alternative nicotine product, or vapor product to persons under the age of 18.

Proposed law raises the minimum age from 18 to 21 years.

Present law prohibits manufacturers, distributors, retailers, or other persons from selling or distributing any tobacco product, alternative nicotine product, or vapor product to persons under the age of 18.

Proposed law raises the minimum age from 18 to 21 years and removes the requirement for knowledge in the sale or distribution of any tobacco product, alternative nicotine product, or vapor product to persons under the age of 21.

Proposed law provides for legislative facts and findings.

Present law further requires signs at points of sale and on vending machines for tobacco products.

Proposed law requires signs at the point of sale to be placed in a manner conspicuous to both employees and consumers, within any location where tobacco products, alternative nicotine products, or vapor products are available for purchase.

Present law prohibits any person under the age of 18 from buying any tobacco product, alternative nicotine product, or vapor product.

Proposed law changes present law by prohibiting the sale of any tobacco product, alternative nicotine product, or vapor product to persons under the age of 21.

Present law prohibits any person under the age of 18 from possessing any tobacco product, alternative nicotine product, or vapor product, unless accompanied by a parent, spouse, or legal guardian who is over 21 years old, or in a private residence, or when the product is handled in the course and scope of employment and required in the performance of such person's duties.

Proposed law changes the age to 21.

Present law requires the commissioner of alcohol and tobacco control to annually conduct random, unannounced inspections at locations where tobacco products are sold and distributed. The office of alcohol and tobacco control may enlist persons under the age of 18 to test compliance if the testing is under the direct supervision of employees of the office of alcohol and tobacco control and written parental consent has been provided.

Proposed law changes present law allowing persons between the age of 16 and 21 to be enlisted to test compliance. Further requires unannounced follow-up compliance checks of all noncompliant retailers within three months of any violation of proposed law.

Present law allows for the purchase of tobacco products from vending machines and self-service displays by persons 18 years of age or older.

Proposed law changes present law by raising the minimum age from 18 to 21 years of age.

Present law prohibits the sale of tobacco products to anyone under the age of 18.

Proposed law amends present law by raising the minimum age from 18 to 21 years of age for persons who may be sold tobacco products. Proposed law adds to present law by requiring that all persons engaging in the sale of tobacco products check the identification of any person attempting to purchase such product.

Present law requires that signs at points of sale and on vending machines for tobacco products reflect "LOUISIANA LAW PROHIBITS THE SALE OF TOBACCO PRODUCTS TO PERSONS UNDER AGE 18".

Proposed law updates the wording on signs required to be posted to reflect the minimum age change from 18 to 21.

(Amends R.S. 14:91.6(A) and 91.8(C), (D), (E), and (F)(1) and (2)(intro. para.), R.S. 26:793(C)(1), 910, 910.1(A), 911(A)(1), 917(A)(intro. para.), and R.S. 47:851(C)(2); Adds R.S. 26:901.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Change the term "compliance checks" to "inspections".
2. Delete the requirement that all compliance checks be made publicly available.
3. Remove the requirement for identification checks of persons who appear to be under 30 years of age and require checks for all persons.