

SENATE BILL 266

Introduced by Walker, et al.

1/27	Introduced
1/27	Referred to Business & Industry
1/28	Rereferred to Judiciary
2/02	Hearing
2/03	Committee Report--Bill Passed as Amended
2/07	2nd Read Do Pass Motion Failed
2/07	2nd Reading Indefinitely Postponed
2/08	Rereferred to Judiciary
2/14	Committee Report--Bill Passed as Amended
2/16	2nd Reading Passed
2/18	3rd Reading Passed

Transmitted to House

2/21	Referred to Judiciary
3/01	Hearing
3/01	Tabled in Committee

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INTRODUCED BY *Senate* BILL NO. *266*  
*Ed Cody Bishop* *HARP* *Bob Brown* *Justinella*  
 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE SELLING  
 OR GIVING OF ANY TOBACCO PRODUCT TO A PERSON UNDER 18 YEARS  
 OF AGE; PROHIBITING A PERSON UNDER 18 YEARS OF AGE FROM  
 MISREPRESENTING HIS AGE FOR THE PURPOSE OF OBTAINING ANY  
 TOBACCO PRODUCT; AND PROVIDING PENALTIES."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Definition. As used in  
 12 [sections 2 and 3], "tobacco product" means any product  
 13 containing tobacco, including but not limited to cigarettes,  
 14 cigars, chewing tobacco, powdered tobacco, processed  
 15 tobacco, and unprocessed tobacco.

16 NEW SECTION. Section 2. Sale of tobacco products to  
 17 minors prohibited. (1) It is unlawful for any person to  
 18 sell, give, or otherwise supply a tobacco product to a  
 19 person under 18 years of age.

20 (2) It is unlawful for a person under 18 years of age  
 21 to purchase a tobacco product.

22 NEW SECTION. Section 3. Misrepresentation of age for  
 23 obtaining tobacco products prohibited. It is unlawful for a  
 24 person to misrepresent his age to any dispenser of tobacco  
 25 products for the purpose of obtaining a tobacco product or

1 for a person to falsely procure or supply an identification  
 2 card or alter any of the statements contained in an  
 3 identification card used in obtaining a tobacco product.

4 NEW SECTION. Section 4. Penalties. (1) A person under  
 5 18 years of age who violates [section 2 or 3] is subject to  
 6 the penalty provided in 45-5-624(2).

7 (2) A person over 18 years of age who violates  
 8 [section 2 or 3] is subject to the penalty provided in  
 9 46-18-212.

-End-

RE-REFERRED AND  
APPROVED BY COMMITTEE  
ON JUDICIARY

1 SENATE BILL NO. 266  
2 INTRODUCED BY WALKER, NORMAN, JACOBSON, VAUGHN,  
3 ECK, CODY, BISHOP, HARP, HALLIGAN, B. BROWN,  
4 COCCHIARELLA, RANEY, ADDY  
5  
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A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE  
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NEW SECTION. Section 1. Definition. As used in  
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 for a person to falsely procure or supply an identification  
 card or alter any of the statements contained in an  
 identification card used in obtaining a tobacco product.

NEW SECTION. SECTION 4. VENDING MACHINES -- NOTICE.  
 (1) ALL VENDING MACHINES DISPENSING TOBACCO PRODUCTS MUST  
 HAVE AFFIXED, IN PLAIN SIGHT, A NOTICE STATING THAT IT IS  
 ILLEGAL FOR PERSONS UNDER 18 TO PURCHASE OR POSSESS TOBACCO  
 PRODUCTS.

(2) VENDING MACHINES DISPENSING TOBACCO PRODUCTS THAT  
 DO NOT COMPLY WITH SUBSECTION (1) ARE IN VIOLATION OF  
 [SECTION 2], AND OWNERS OF SUCH MACHINES ARE IN VIOLATION OF  
 [SECTION 2] AND ARE SUBJECT TO PENALTY UNDER [SECTION 5].

NEW SECTION. Section 5. Penalties. (1) A person under  
 18 years of age who violates [section 2 or 3] is subject to  
 the--penalty--provided--in--45-5-624+2} A FINE OF \$25 OR A  
 REQUIREMENT OF PUBLIC SERVICE, AS MAY BE DETERMINED BY THE  
 YOUTH COURT.

(2) A person over 18 years of age who violates  
 [section SECTIONS 2 or--3 THROUGH 4] is subject to the  
 penalty--provided--in--46-18-212 A FINE OF \$50 FOR EACH  
 SEPARATE OFFENSE.

-End-

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SB 266

THIRD READING