

**PENALTY FOR PROVIDING TOBACCO TO  
YOUTH**

1998 GENERAL SESSION

STATE OF UTAH

**Sponsor: Carl R. Saunders**

AN ACT RELATING TO THE CRIMINAL CODE; CLARIFYING THAT IT IS ILLEGAL FOR  
A PARENT, SIBLING, OR OTHER RELATIVE TO PROVIDE TOBACCO PRODUCTS TO  
AN UNDERAGED PERSON; AND ESTABLISHING MINIMUM FINES.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**76-10-104**, as last amended by Chapter 194, Laws of Utah 1989

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **76-10-104** is amended to read:

**76-10-104. Furnishing cigars, cigarettes, or tobacco to minors -- Penalties.**

Any person, including a parent, sibling, or other relative, who sells, gives, or furnishes any  
cigar, cigarette, or tobacco in any form, to any person under 19 years of age, is guilty of:

(1) a class C misdemeanor on the first offense[;] and subject to a minimum fine of \$100,  
if the person is 19 years of age or older, or a minimum fine of \$50, if the person is under 19 years  
of age;

(2) a class B misdemeanor on the second offense[;] and subject to a minimum fine of \$200,  
if the person is 19 years of age or older, or a minimum fine of \$100, if the person is under 19 years  
of age; and

(3) a class A misdemeanor on subsequent offenses and subject to a minimum fine of \$300,  
if the person is 19 years of age or older, or a minimum fine of \$150, if the person is under 19 years  
of age.

**Legislative Review Note**  
**as of 12-18-97 10:11 AM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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