

**ATTEMPTED PURCHASE OF TOBACCO BY  
CHILDREN**

1998 GENERAL SESSION

STATE OF UTAH

**Sponsor: Howard A. Stephenson**

Lorin V. Jones

AN ACT RELATING TO HEALTH; AMENDING UNDERAGED POSSESSION OF TOBACCO LAW TO INCLUDE A PROHIBITION ON THE ATTEMPT TO PURCHASE TOBACCO PRODUCTS.

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

AMENDS:

**76-10-105**, as last amended by Chapter 194, Laws of Utah 1989

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

Section 1. Section **76-10-105** is amended to read:

**76-10-105. Buying or possessing cigars, cigarettes, or tobacco by minors -- Penalty -- Compliance officer authority -- Juvenile court jurisdiction.**

(1) Any person under the age of 19 years who buys or attempts to buy, accepts, or has in his possession any cigar, cigarette, or tobacco in any form is guilty of a class C misdemeanor, or may be subject to the jurisdiction of the juvenile court.

(2) A compliance officer appointed by a board of education under Section 53A-3-402 may issue citations for violations of this section committed on school property. Cited violations shall be reported to the appropriate juvenile court.