

438.350 Prohibition against possession or use of tobacco products, alternative nicotine products, or vapor products by persons under age 21 -- Exceptions -- Penalties.

- (1) No person under the age of twenty-one (21) shall possess or use tobacco products, alternative nicotine products, or vapor products.
- (2) Any tobacco product, alternative nicotine product, or vapor product found in the possession of a person under the age of twenty-one (21) and in plain view of the law enforcement officer shall be confiscated by the law enforcement officer making the charge.
- (3) Any person under the age of twenty-one (21) found possessing or consuming an alternative nicotine product, tobacco product, or vapor product may be required to participate in a community service program or attend a tobacco cessation program.
- (4) This section shall not apply to persons exempted as provided by KRS 438.311 and 438.330.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 78, sec. 21, effective June 27, 2025. -- Amended 2020 Ky. Acts ch. 35, sec. 9, effective March 26, 2020. -- Amended 2014 Ky. Acts ch. 111, sec. 9, effective April 10, 2014. -- Created 2000 Ky. Acts ch. 160, sec. 1, effective July 14, 2000.