

AN ACT relating to products marketed for use in conjunction with tobacco products, alternative nicotine products, or vapor products.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS 438.305 TO 438.340 IS CREATED TO READ AS FOLLOWS:

- (1) No person shall sell or cause to be sold any product marketed for use in conjunction with tobacco products, alternative nicotine products, or vapor products at retail to any person under the age of eighteen (18), or solicit any person under the age of eighteen (18) to purchase any product marketed for use with tobacco products, alternative nicotine products, or vapor products at retail.*
- (2) Any person who sells any product marketed for use in conjunction with tobacco products, alternative nicotine products, or vapor products at retail shall cause to be posted in a conspicuous place in his or her establishment a notice stating that it is illegal to sell products marketed for use in conjunction with tobacco products, alternative nicotine products, or vapor products to persons under age eighteen (18).*
- (3) Any person selling any product marketed for use in conjunction with tobacco products, alternative nicotine products, or vapor products at retail shall require proof of age from a prospective buyer or recipient if the person has reason to believe that the prospective buyer or recipient is under the age of eighteen (18).*
- (4) A person who violates subsection (1) or (2) of this section shall be subject to a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for a first violation and a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000) for any subsequent violation. The fine shall be administered by the Department of Alcoholic Beverage Control using a civil enforcement procedure.*