

1 AN ACT relating to the sale of tobacco products.

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

3 ➔Section 1. KRS 438.311 is amended to read as follows:

4 (1) Except for the provisions of KRS 438.330, it shall be unlawful for a person who has
5 not attained the age of eighteen (18) years to:

6 ***(a)*** Purchase or accept receipt of or to attempt to purchase or accept receipt of a
7 tobacco product, alternative nicotine product, or vapor product;~~;~~ or ~~to~~

8 ***(b)*** Present or offer to any person any purported proof of age which is false,
9 fraudulent, or not actually his or her own, for the purpose of purchasing or
10 receiving any tobacco product, alternative nicotine product, or vapor product.

11 ***(2)*** It shall not be unlawful for ***a person who has not attained the age of eighteen (18)***
12 ***years***~~[such a person]~~ to:

13 ***(a)*** Accept receipt of a tobacco product, alternative nicotine product, or vapor
14 product from an employer when required in the performance of the person's
15 duties; ***or***

16 ***(b)*** ***Sell a tobacco product, alternative nicotine product, or vapor product to***
17 ***persons who are age eighteen (18) or over on behalf of an employer when***
18 ***required in the performance of the person's duties.***

19 ~~***(3)***~~~~*(2)*~~ This offense shall be deemed a status offense and shall be under the
20 jurisdiction of the juvenile session of the District Court.

21 ~~***(4)***~~~~*(3)*~~ All peace officers with general law enforcement authority and employees of
22 the Department of Alcoholic Beverage Control may issue a uniform citation, but not
23 make an arrest or take a child into custody, for a violation of this section. If a child
24 fails to appear in court in response to a uniform citation issued pursuant to the
25 section, the court may compel the attendance of the defendant in the manner
26 specified by law.