



Section 6 of the bill states that an individual between the ages of 18 to 21 are prohibited from possessing or using any tobacco product, alternative nicotine products, or vapor products. An individual in violation of these provisions shall be guilty of a violation for the first offense and a Class A misdemeanor for each subsequent offense.

**The fiscal impact of HB 142 is likely to be minimal.** Increased revenues from fine increases are retained by the Department of Alcoholic Beverage Control and so would not impact local entities. The bill gives local law enforcement officials the authority to issue uniform citations to persons selling nicotine products to persons under 21 years of age, so they would likely need to be made aware of these additional responsibilities. However, it is not expected that this would necessitate additional expenditures and could be integrated into current training programs rather easily.

It is unknown how many will be charged and convicted of subsequent offenses for violating sections 3 and 6; however, a person convicted of a Class A misdemeanor may be incarcerated for up to twelve months. Misdemeanants are housed in one of Kentucky's 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, this estimated impact will be based on an average cost to incarcerate of \$44.97 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average cost to incarcerate of \$44.97 per day.

**Data Source(s):** LRC Staff; Kentucky Department of Corrections

**Preparer:** Ryan Brown (LG)      **Reviewer:** KHC      **Date:** 1/23/24