

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 2145

By: Blackburn

AS INTRODUCED

An Act relating to intoxicating liquors; amending Section 5, Chapter 137, O.S.L. 1994, as amended by Section 3, Chapter 144, O.S.L. 1996 (37 O.S. Supp. 1996, Section 600.4), which relates to the Prevention of Youth Access to Tobacco Act; and clarifying language.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 5, Chapter 137, O.S.L. 1994, as amended by Section 3, Chapter 144, O.S.L. 1996 (37 O.S. Supp. 1996, Section 600.4), is amended to read as follows:

Section 600.4 A. It is unlawful for a person who is ~~under~~ less than eighteen (18) years of age to purchase, accept receipt of, or have in their possession a tobacco product, or to present or offer to any person any purported proof of age which is false, fraudulent, or not actually his or her own, for the purpose of purchasing or receiving any tobacco product. Provided, however, that it shall not be unlawful for such a person to handle such tobacco product when required in the performance of such person's duties.

B. When a person violates subsection A of this section, the Alcoholic Beverage Laws Enforcement Commission (ABLE) shall assess

such person an administrative fine of Twenty-five Dollars (\$25.00) for a first offense within a one-year period, and an administrative fine of Fifty Dollars (\$50.00) for a second or subsequent offense within a one-year period. Upon failure of the individual to pay such administrative fine within ninety (90) days of the day of such fine, the ABLE Commission shall notify the Department of Public Safety and the Department shall suspend or not issue a driver license to said individual until proof of payment has been furnished to the Department of Public Safety.

C. Cities and towns may enact and municipal police officers may enforce ordinances prohibiting and penalizing conduct under provisions of this section, but the provisions of such ordinances shall be the same as provided for in this section, and the enforcement provisions under such ordinances shall not be more stringent than those of this section.

46-1-6004

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