

SECOND REGULAR SESSION

# HOUSE BILL NO. 1328

95TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE CURLS.

3837L.011

D. ADAM CRUMBLISS, Chief Clerk

---

## AN ACT

To repeal section 407.933, RSMo, and to enact in lieu thereof one new section relating to sale of cigarettes, with a penalty provision.

---

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 407.933, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 407.933, to read as follows:

407.933. 1. No person less than eighteen years of age shall purchase, attempt to purchase or possess cigarettes or other tobacco products [unless such is an employee of a seller of cigarettes or tobacco products and is in such possession to effect a sale in the course of employment, or an employee of the division of liquor control for enforcement purposes pursuant to subsection 5 of section 407.934].

2. **No employee of a seller of cigarettes or tobacco products who is less than eighteen years of age shall effect a sale of cigarettes or tobacco products in the course of his or her employment.**

3. **The provisions of this section shall not apply to an employee of the division of liquor control for enforcement purposes under subsection 5 of section 407.934.**

4. Any person less than eighteen years of age shall not misrepresent his or her age to purchase cigarettes or tobacco products.

[3.] 5. Any person who violates the provisions of **subsection 1** of this section shall be penalized as follows:

(1) For the first violation, the person is guilty of an infraction and shall have any cigarettes or tobacco products confiscated;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           (2) For a second violation and any subsequent violations, the person is guilty of an  
18 infraction, shall have any cigarettes or tobacco products confiscated and shall complete a tobacco  
19 education or smoking cessation program, if available.

20           **6. Any seller of cigarettes or tobacco products who violates the provisions of**  
21 **subsection 2 of this section by an employee less than eighteen years of age attempting to**  
22 **effect or effecting a sale of cigarettes or tobacco products in the course of employment shall**  
23 **be assessed a fine of two hundred fifty dollars for a first violation and five hundred dollars**  
24 **for a second and any subsequent violation.**

✓