

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1079 Session of
1997

INTRODUCED BY HANNA, ARMSTRONG, ROBERTS, BELARDI, RUBLEY,
PLATTS, PISTELLA, GEIST, BAKER, TRICH, MELIO AND SEYFERT,
APRIL 2, 1997

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 2, 1997

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the sale of
3 tobacco, cigarettes or cigarette papers to minors.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Sections 6305 and 6306 of Title 18 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 6305. Sale of tobacco.

9 (a) Offense defined.--A person is guilty of a summary
10 offense if he:

11 (1) sells tobacco, in any form and by any means,
12 including through a vending machine, in the person's
13 establishment, to any minor under the age of 18 years;

14 (2) by purchase, gift or other means, furnishes tobacco,
15 in any form, to a minor under the age of 18 years; or

16 (3) knowingly and falsely represents himself to be 18
17 years of age or older to another for the purpose of procuring
18 or having furnished to him tobacco in any form and by any

1 means, including through a vending machine, in the person's
2 establishment.

3 (b) Penalty.--A person who violates this section shall, upon
4 conviction, be sentenced to pay a fine of not less than [\$25]
5 \$100 for a first offense and not less than [\$100] \$250 for a
6 subsequent offense.

7 § 6306. Furnishing cigarettes or cigarette papers.

8 (a) Offense defined.--A person commits an offense if he
9 furnishes to any minor[,] under the age of 18 years:

10 (1) by gift[,] or sale [or otherwise,];

11 (2) through a vending machine in the person's
12 establishment; or

13 (3) otherwise

14 any cigarettes or cigarette paper.

15 (b) Grading.--Whoever commits an offense under this section
16 shall, upon being convicted thereof in a summary proceeding, be
17 sentenced for the first offense to pay a fine not exceeding
18 [\$25] \$100 and for the second offense shall be fined not
19 exceeding [\$100] \$250; and for the third or subsequent offense
20 shall be guilty of a misdemeanor of the third degree.

21 Section 2. This act shall take effect in 60 days.