

HB3809



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3809

by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

720 ILCS 677/5
720 ILCS 677/10

Amends the Display of Tobacco Products Act. Provides that all tobacco and alternative nicotine products (rather than single packs of cigarettes and alternative nicotine products) must be sold from behind the counter or in an age restricted area or in a sealed display case. Provides that candy may not be displayed within 5 feet of a counter that has behind it any tobacco products. Defines "candy" and "tobacco product". Effective immediately.

LRB100 11015 RLC 21773 b

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Display of Tobacco Products Act is amended
5 by changing Sections 5 and 10 as follows:

6 (720 ILCS 677/5)

7 Sec. 5. Definitions. In this Act:

8 "Alternative nicotine product" has the meaning ascribed to
9 it in Section 1.5 of the Prevention of Tobacco Use by Minors
10 and Sale and Distribution of Tobacco Products Act.

11 ~~"Line of sight" means visible to a cashier or other~~
12 ~~employee.~~

13 "Age restricted area" means a signed designated area in a
14 retail establishment to which minors under 18 years of age are
15 not permitted access unless accompanied by a parent or legal
16 guardian.

17 "Candy" means a preparation of sugar, honey, or other
18 natural or artificial sweeteners in combination with
19 chocolate, fruits, nuts, or other ingredients or flavorings in
20 the form of bars, drops, or pieces. "Candy" does not include
21 any preparation that contains flour or requires refrigeration.

22 "Tobacco product" has the meaning ascribed to it in Section
23 1 of the Prevention of Tobacco Use by Minors and Sale and

1 Distribution of Tobacco Products Act.

2 (Source: P.A. 98-983, eff. 1-1-15.)

3 (720 ILCS 677/10)

4 Sec. 10. Tobacco product displays. All tobacco ~~single~~
5 ~~packs of cigarettes~~ and alternative nicotine products must be
6 sold from behind the counter or in an age restricted area or in
7 a sealed display case. Candy may not be displayed within 5 feet
8 of a counter that has behind it any tobacco products. ~~Any other~~
9 ~~tobacco products must be sold in line of sight.~~

10 The restrictions described in this Section do not apply to
11 a retail tobacco store that (i) derives at least 90% of its
12 revenue from tobacco and tobacco related products; (ii) does
13 not permit persons under the age of 18 to enter the premises
14 unless accompanied by a parent or legal guardian; and (iii)
15 posts a sign on the main entrance way stating that persons
16 under the age of 18 are prohibited from entering unless
17 accompanied by a parent or legal guardian.

18 (Source: P.A. 98-983, eff. 1-1-15.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.