

1 AN ACT concerning State government.

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

4 Section 5. The Substance Use Disorder Act is amended by
5 adding Section 55-36 as follows:

6 (20 ILCS 301/55-36 new)

7 Sec. 55-36. Compliance checks; tobacco and vape retailers.

8 (a) Definitions. As used in this Section:

9 "Alternative nicotine product" has the meaning ascribed to
10 that term in Section 1 of the Prevention of Tobacco Use by
11 Persons under 21 Years of Age and Sale and Distribution of
12 Tobacco Products Act.

13 "E-cigarette" has the meaning ascribed to the term
14 "electronic cigarette" in Section 1 of the Prevention of
15 Tobacco Use by Persons under 21 Years of Age and Sale and
16 Distribution of Tobacco Products Act.

17 "Vape shop" means any retail or service establishment that
18 devotes 51% or more of its floor area to the sale and display
19 of electronic cigarettes or e-cigarettes or allows vaping on
20 site.

21 (b) As a means to reduce the consumption of tobacco
22 products, electronic nicotine devices, alternative nicotine
23 products, and e-cigarettes by persons under 21 years of age,

1 the Department may conduct compliance checks of tobacco and
2 vape retailers to investigate whether such retailers are
3 selling tobacco products, electronic nicotine products,
4 alternative nicotine products, or e-cigarettes to persons
5 under 21 years of age in violation of the Prevention of Tobacco
6 Use by Persons under 21 Years of Age and Sale and Distribution
7 of Tobacco Products Act. The Department may expand the use of
8 existing tobacco compliance check programs to include vape
9 shops. Compliance checks may be conducted by underage
10 individuals under the supervision of local law enforcement and
11 the Illinois State Police. The Illinois State Police shall
12 communicate with local police departments and sheriff
13 departments to ensure coordination and collaboration and to
14 ensure its efforts do not duplicate any local compliance check
15 activities. Underage individuals who purchase tobacco
16 products, electronic nicotine devices, alternative nicotine
17 products, or e-cigarettes while conducting supervised
18 compliance checks shall not be in violation of the Prevention
19 of Tobacco Use by Persons under 21 Years of Age and Sale and
20 Distribution of Tobacco Products Act.