

1 AN ACT in relation to criminal law.

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

4 Section 5. The Sale of Tobacco to Minors Act is amended
5 by changing Section 1 as follows:

6 (720 ILCS 675/1) (from Ch. 23, par. 2357)

7 Sec. 1. Prohibition on sale of tobacco to minors;
8 vending machines; lunch wagons.

9 (a) No minor under 18 years of age shall buy any cigar,
10 cigarette, smokeless tobacco or tobacco in any of its forms.
11 No person shall sell, buy for, distribute samples of or
12 furnish any cigar, cigarette, smokeless tobacco or tobacco in
13 any of its forms, to any minor under 18 years of age.

14 For the purpose of this Section, "smokeless tobacco"
15 means any tobacco products that are suitable for dipping or
16 chewing.

17 (b) Tobacco products listed above may be sold through a
18 vending machine only in the following locations:

19 (1) Factories, businesses, offices, private clubs,
20 and other places not open to the general public.

21 (2) Places to which minors under 18 years of age
22 are not permitted access.

23 (3) Places where alcoholic beverages are sold and
24 consumed on the premises.

25 (4) Places where the vending machine is under the
26 direct supervision of the owner of the establishment or
27 an employee over 18 years of age. The sale of tobacco
28 products from a vending machine under direct supervision
29 of the owner or an employee of the establishment is
30 considered a sale of tobacco products by that person. As
31 used in this subdivision, "direct supervision" means that

1 the owner or employee has an unimpeded line of sight to
2 the vending machine.

3 (5) Places where the vending machine can only be
4 operated by the owner or an employee over age 18 either
5 directly or through a remote control device if the device
6 is inaccessible to all customers.

7 (c) The sale or distribution at no charge of cigarettes
8 from a lunch wagon engaging in any sales activity within
9 1,000 feet of any public or private elementary or secondary
10 school grounds is prohibited.

11 For the purpose of this Section, "lunch wagon" means a
12 mobile vehicle designed and constructed to transport food and
13 from which food is sold to the general public.

14 (Source: P.A. 89-181, eff. 7-19-95.)