

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 Tobacco Accessories and Smoking Herbs  
5 Control Act is amended by changing the title of the Act and  
6 Sections 2 and 4 as follows:

7 (720 ILCS 685/Act title)

8 An Act providing protection for the public health and  
9 safety by prohibiting the sale or delivery of tobacco  
10 accessories or smoking herbs to minors and to prohibit the  
11 sale of certain other tobacco products and accessories.

12 (720 ILCS 685/2) (from Ch. 23, par. 2358-2)

13 Sec. 2. Purpose. The sale and possession of marijuana,  
14 hashish, cocaine, opium and their derivatives, is not only  
15 prohibited by Illinois Law, but the use of these substances  
16 has been deemed injurious to the health of the user.

17 It has further been determined by the Surgeon General of  
18 the United States that the use of tobacco is hazardous to  
19 human health.

20 The ready availability of smoking herbs to minors could  
21 lead to the use of tobacco and illegal drugs.

22 The sale of cigarette wrapping paper or wrapping leaf  
23 that is, or is held out to be, impregnated or scented with,  
24 or aged or dipped in, alcoholic liquor or honey promotes the  
25 illegal use of cannabis and other controlled substances.

26 It is in the best interests of the citizens of the State  
27 of Illinois to seek to prohibit the spread of illegal drugs,  
28 tobacco or smoking materials to minors. The prohibition of  
29 the sale of tobacco and snuff accessories and smoking herbs  
30 to minors would help to curb the usage of illegal drugs and

1 tobacco products, among our youth.

2 It is also in the best interests of the citizens of the  
3 State of Illinois to prohibit the sale of cigarette wrapping  
4 paper or wrapping leaf that is, or is held out to be,  
5 impregnated or scented with, or aged or dipped in, alcoholic  
6 liquor or honey.

7 (Source: P.A. 82-487.)

8 (720 ILCS 685/4) (from Ch. 23, par. 2358-4)

9 Sec. 4. Offenses.

10 (a) Sale to minors. No person shall knowingly sell,  
11 barter, exchange, deliver or give away or cause or permit or  
12 procure to be sold, bartered, exchanged, delivered, or given  
13 away tobacco accessories or smoking herbs to any person under  
14 18 years of age.

15 (a-5) Sale of bidi cigarettes. No person shall knowingly  
16 sell, barter, exchange, deliver, or give away a bidi  
17 cigarette to another person, nor shall a person cause or  
18 permit or procure a bidi cigarette to be sold, bartered,  
19 exchanged, delivered, or given away to another person.

20 (a-6) Sale of dipped cigarette wrapping paper or  
21 wrapping leaf. No person shall knowingly sell, barter,  
22 exchange, deliver, or give away or cause or permit to be  
23 sold, bartered, exchanged, delivered, or given away to any  
24 other person any cigarette wrapping paper or wrapping leaf  
25 that is, or is held out to be, impregnated or scented with,  
26 or aged or dipped in, alcoholic liquor or honey, or both  
27 alcoholic liquor and honey.

28 (b) Sale of cigarette paper. No person shall knowingly  
29 offer, sell, barter, exchange, deliver or give away cigarette  
30 paper or cause, permit, or procure cigarette paper to be  
31 sold, offered, bartered, exchanged, delivered, or given away  
32 except from premises or an establishment where other tobacco  
33 products are sold. For purposes of this Section, "tobacco

1 products" means cigarettes, cigars, smokeless tobacco, or  
2 tobacco in any of its forms.

3 (c) Sale of cigarette paper from vending machines. No  
4 person shall knowingly offer, sell, barter, exchange, deliver  
5 or give away cigarette paper or cause, permit, or procure  
6 cigarette paper to be sold, offered, bartered, exchanged,  
7 delivered, or given away by use of a vending or coin-operated  
8 machine or device. For purposes of this Section, "cigarette  
9 paper" shall not include any paper that is incorporated into  
10 a product to which a tax stamp must be affixed under the  
11 Cigarette Tax Act or the Cigarette Use Tax Act.

12 (d) Use of identification cards. No person in the  
13 furtherance or facilitation of obtaining smoking accessories  
14 and smoking herbs shall display or use a false or forged  
15 identification card or transfer, alter, or deface an  
16 identification card.

17 (e) Warning to minors. Any person, firm, partnership,  
18 company or corporation operating a place of business where  
19 tobacco accessories and smoking herbs are sold or offered for  
20 sale shall post in a conspicuous place upon the premises a  
21 sign upon which there shall be imprinted the following  
22 statement, "SALE OF TOBACCO ACCESSORIES AND SMOKING HERBS TO  
23 PERSONS UNDER EIGHTEEN YEARS OF AGE OR THE MISREPRESENTATION  
24 OF AGE TO PROCURE SUCH A SALE IS PROHIBITED BY LAW". The  
25 sign shall be printed on a white card in red letters at least  
26 one-half inch in height.

27 (Source: P.A. 91-734, eff. 1-1-01.)