

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.)