

Senate Bill 261

By: Senator Wiles of the 37th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated,
2 relating to sale or distribution to, or possession by, minors of cigarettes and tobacco related
3 objects, so as to provide for the suspension of drivers' licenses or permits as punishment for
4 minors purchasing or possessing cigarettes or tobacco related objects; to provide for related
5 matters; to provide for an effective date; to provide for applicability; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 7 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to sale
10 or distribution to, or possession by, minors of cigarettes and tobacco related objects, is
11 amended by striking paragraph (2) of subsection (b) of Code Section 16-12-171, relating to
12 punishment for committing prohibited acts relative to cigarettes and tobacco related objects,
13 and inserting in its place the following:

14 "(2) A minor who commits an offense provided for in paragraph (1) of this subsection
15 may be punished as follows:

16 (A) ~~By requiring the performance of community service not exceeding 20 hours~~ For
17 a first offense, by a suspension of his or her driver's license or permit for a period of
18 90 days;

19 (B) ~~By requiring attendance at a publicly or privately sponsored lecture or discussion~~
20 ~~on the health hazards of smoking or tobacco use, provided such lecture or discussion~~
21 ~~is offered without charge to the minor~~ For a second offense, by a suspension of his or
22 her driver's license or permit for a period of six months; or

23 (C) ~~By a combination of the punishments described in subparagraphs (A) and (B) of~~
24 ~~this paragraph~~ For a third or subsequent offense, by a suspension of his or her driver's
25 license or permit for a period of one year, to run consecutively for multiple offenses.

1 If the minor who commits an offense provided for in paragraph (1) of this subsection does
2 not yet have a driver's license or permit, the punishment prescribed in this paragraph shall
3 be implemented at the time the minor applies for his or her driver's license or permit."

4 **SECTION 2.**

5 This Act shall become effective on July 1, 2005, and shall be applied to offenses occurring
6 on or after that date.

7 **SECTION 3.**

8 All laws and parts of laws in conflict with this Act are repealed.