

Senate Bill 95

By: Senators Carter of the 13th, Adelman of the 42nd, Thomas of the 54th, Chance of the 16th and Seay of the 34th

**AS PASSED**

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 make it unlawful to attempt to purchase cigarettes or tobacco related objects;  
4 to change certain provisions relating to sales from vending machines; to provide for related  
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 7 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to sale  
9 or distribution to, or possession by, minors of cigarettes and tobacco related objects, is  
10 amended by revising subparagraph (b)(1)(A) of Code Section 16-12-171, relating to  
11 prohibited acts, as follows:

12 "(A) Purchase, attempt to purchase, or possess for personal use any cigarettes or  
13 tobacco related objects. This subparagraph shall not apply to possession of cigarettes  
14 or tobacco related objects by a minor when a parent or guardian of such minor gives the  
15 cigarettes or tobacco related objects to the minor and possession is in the home of the  
16 parent or guardian and such parent or guardian is present; or"

17 **SECTION 2.**

18 Said article is further amended by revising subsection (a) of Code Section 16-12-173, relating  
19 to sales from vending machines, as follows:

20 "(a)(1) Any person who maintains in such person's place of business a vending machine  
21 which dispenses cigarettes, tobacco products, or tobacco related objects shall place or  
22 cause to be placed in a conspicuous place on such vending machine a sign containing the  
23 following statement:

24 'THE PURCHASE OF CIGARETTES, TOBACCO PRODUCTS, OR TOBACCO  
25 RELATED OBJECTS FROM THIS VENDING MACHINE BY ANY PERSON  
26 UNDER 18 YEARS OF AGE IS PROHIBITED BY LAW.'

1 (2) Any person who maintains in such person's place of business a vending machine  
2 which dispenses cigarettes, tobacco products, or tobacco related objects shall not dispense  
3 any nontobacco product, other than matches, in such vending machine."

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.