

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 215

6 By: Garvin

7 COMMITTEE SUBSTITUTE

8 An Act relating to the Oklahoma Juvenile Code;
9 amending 10A O.S. 2021, Section 2-8-224, as amended
10 by Section 1, Chapter 261, O.S.L. 2022 (10A O.S.
11 Supp. 2022, Section 2-8-224), which relates to
12 purchase, receipt, or possession of tobacco or vapor
13 products by those under 21; broadening entities who
14 may conduct certain program; authorizing enactment
15 and enforcement of certain municipal ordinances;
16 limiting amount of certain fine; requiring offender
17 to complete certain educational program; granting
18 certain powers to municipal judge; and providing an
19 effective date.

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. AMENDATORY 10A O.S. 2021, Section 2-8-224, as
22 amended by Section 1, Chapter 261, O.S.L. 2022 (10A O.S. Supp. 2022,
23 Section 2-8-224), is amended to read as follows:

24 Section 2-8-224. A. It is unlawful for a person who is under
twenty-one (21) years of age to purchase, receive, or have in his or
her possession a tobacco product, nicotine product or vapor product,
or to present or offer to any person any purported proof of age
which is false or fraudulent, for the purpose of purchasing or

1 receiving any tobacco product, nicotine product or vapor product.
2 It shall not be unlawful for an employee under twenty-one (21) years
3 of age to handle tobacco products, nicotine products or vapor
4 products when required in the performance of the employee's duties.

5 B. When a person violates subsection A of this section, the
6 ~~Alcoholic Beverage Laws Enforcement (ABLE) Commission shall require~~
7 ~~the violator to~~ shall complete an education or tobacco use cessation
8 program conducted by:

9 1. The Alcoholic Beverage Laws Enforcement (ABLE) Commission
10 and approved by the State Department of Health; or

11 2. A municipality.

12 C. The ABLE Commission shall establish rules to provide for
13 notification to a parent or guardian of any minor cited for a
14 violation of this section.

15 D. Cities and towns may enact ordinances prohibiting and
16 penalizing conduct in violation of subsection A of this section.
17 Any fine imposed for a violation of subsection A of this section
18 shall not exceed Fifty Dollars (\$50.00) for a first offense or One
19 Hundred Dollars (\$100.00) for a subsequent offense. An offender
20 found to be in violation of subsection A of this section shall
21 complete an educational program designed to deter the unlawful
22 conduct. The municipal judge may order the offender to complete
23 community service or to undergo services as determined by the judge.

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1 E. For the purposes of this section, the term "vapor products"
2 shall have the same meaning as provided in the Prevention of Youth
3 Access to Tobacco Act.

4 SECTION 2. This act shall become effective November 1, 2023.

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