

1 STATE OF OKLAHOMA

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

3 SENATE BILL 892

By: Jett

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7 AS INTRODUCED

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; authorizing enactment and
14 enforcement of certain municipal ordinances; limiting
15 amount of certain fine; requiring offender to
16 complete certain educational program; granting
17 certain powers to municipal judge; and providing an
18 effective date.

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

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

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 complete an education or tobacco use cessation
8 program approved by the State Department of Health.

9 C. The ABLE Commission shall establish rules to provide for
10 notification to a parent or guardian of any minor cited for a
11 violation of this section.

12 D. Cities and towns may enact and municipal police officers may
13 enforce ordinances prohibiting and penalizing conduct in violation
14 of subsection A of this section. Any fine imposed under subsection
15 A of this section may not exceed Two Hundred Dollars (\$200.00). An
16 offender found to be in violation of subsection A of this section
17 shall complete an educational program designed to deter the unlawful
18 conduct. Additionally, the municipal judge may make referrals if
19 services are needed by the offender, and may require community
20 service, services for the offender, or programming as determined by
21 the judge to meet the needs of the offender.

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

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

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