

American Legion Auxiliary
New Mexico Girls State
Bill Instruction Sheet



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Bill No: B7 Committee: A

Status:

Passed by: Committee House Senate Governor

Tabled by: Committee House Senate Governor

Other: _____

Simple Title of Bill: Penalization of tobacco Distribution to Minors

BILL

70TH SESSION – AMERICAN LEGION AUXILIARY NEW MEXICO GIRLS STATE – 2017

INTRODUCED BY

AN ACT

RELATING TO SALES OF TOBACCO TO MINORS; PENALIZATION OF
ESTABLISHMENTS; PUBLIC HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE AMERICAN LEGION AUXILIARY NEW MEXICO GIRLS STATE:

ACCOUNTABILITY. – The establishment at which a tobacco product, e-cigarette, or a nicotine liquid container knowingly sold or bartered to minors will be penalized. The individual who sold the product will still be penalized, as well. As of right now only the person responsible for selling the product is held liable for the distribution. In New Mexico, the person, knowingly selling or bartering tobacco products to minors, may receive a misdemeanor, which is subject to up to one year of imprisonment, and/or fined of up to \$1,000. Since the establishment is not also being penalized, they continue to profit from the sales without any fears of consequences. Penalties and actions placed on the establishments and their employees, where tobacco products are sold to minors, should be severe enough to deter future sales of tobacco and tobacco base products. By making the establishments and their employees accountable, administrative oversight would most likely be heightened, in order to avoid dealing with these penalties and actions. These penalties need to take place in order to give stores a higher incentive to discourage establishments from selling tobacco to minors. According to research conducted by Evolvment, a national youth-led movement, 15,900 high school students in New Mexico smoke tobacco, New Mexico youth smoke around 3.2 million packs of tobacco a year, and every year around 1,900 New Mexico youth start smoking. Another study directed by BMC Medicine, 67% of people who consumed tobacco products died of smoking related diseases. Analyzing the above information provided, of the 1,900 new smokers created this

year, 1,273 will die from a smoking related illness. We need to take further action to lower these numbers or end underage smoking all together.

PENALTY: An establishment selling or bartering a tobacco product, e-cigarette, or a nicotine liquid container will be found guilty of a misdemeanor and shall be punished by a fine of not more than thirty-five thousand dollars (\$35,000) or by imprisonment for a definite term not to exceed one year, or both

All laws, acts, provisions, or parts of laws contained in the Constitution of the State of New Mexico in conflict with any provision of this act are hereby repealed.

This act shall become effective 90 days after it's passage and approval by the American Legion Auxiliary New Mexico Girls State Governor or it's otherwise becoming a law.