

COMMITTEE ON EDUCATION
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1247
(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 13-3622, Arizona Revised Statutes, is amended to
3 read:

4 13-3622. Furnishing of tobacco product, vapor product or
5 tobacco or shisha instruments or paraphernalia to
6 underage person; underage person accepting or
7 receiving tobacco product, vapor product or tobacco
8 or shisha instruments or paraphernalia; illegally
9 obtaining tobacco product, vapor product or tobacco
10 or shisha instruments or paraphernalia by underage
11 person; classification; definitions

12 A. A person who knowingly sells, gives or furnishes a tobacco
13 product, a vapor product or any instrument or paraphernalia that is solely
14 designed for ~~the~~ smoking or ~~ingestion of~~ **INGESTING** tobacco or shisha,
15 including a hookah or waterpipe, to a ~~minor~~ **PERSON WHO IS UNDER TWENTY-ONE**
16 **YEARS OF AGE** is guilty of a petty offense.

17 B. A ~~minor~~ **PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE AND** who buys,
18 or has in ~~his~~ **THE PERSON'S** possession or knowingly accepts or receives from
19 any person, a tobacco product, a vapor product or any instrument or
20 paraphernalia that is solely designed for ~~the~~ smoking or ~~ingestion of~~
21 **INGESTING** tobacco or shisha, including a hookah or waterpipe, is guilty of
22 a petty offense, and if the offense involves any instrument or
23 paraphernalia that is solely designed for ~~the~~ smoking or ~~ingestion of~~
24 **INGESTING** tobacco or shisha, shall pay a fine of ~~not less than one hundred~~

1 ~~dollars~~ AT LEAST \$100 or perform ~~not less than~~ AT LEAST thirty hours of
2 community restitution.

3 C. A ~~minor~~ PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE who
4 misrepresents the ~~minor's~~ PERSON'S age to ~~any~~ ANOTHER person by means of a
5 written instrument of identification with the intent to induce the OTHER
6 person to sell, give or furnish a tobacco product, a vapor product or any
7 instrument or paraphernalia that is solely designed for ~~the~~ smoking or
8 ~~ingestion of~~ INGESTING tobacco or shisha, including a hookah or waterpipe,
9 in violation of subsection A or B of this section is guilty of a petty
10 offense and, notwithstanding section 13-802, shall pay a fine of not more
11 than ~~five hundred dollars~~ \$500.

12 D. This section does not apply to any of the following:

13 1. Cigars, cigarettes or cigarette papers, smoking or chewing
14 tobacco or any instrument or paraphernalia that is solely designed for ~~the~~
15 smoking or ~~ingestion of~~ INGESTING tobacco or shisha, including a hookah or
16 waterpipe, if it is used or intended to be used in connection with a bona
17 fide practice of a religious belief and as an integral part of a religious
18 or ceremonial exercise.

19 2. Any instrument or paraphernalia that is solely designed for ~~the~~
20 smoking or ~~ingestion of~~ INGESTING tobacco or shisha, including a hookah or
21 waterpipe, that is given to or possessed by a ~~minor~~ PERSON WHO IS UNDER
22 TWENTY-ONE YEARS OF AGE if the instrument or paraphernalia was a gift or
23 souvenir and is not used or intended to be used by the ~~minor~~ PERSON WHO IS
24 UNDER TWENTY-ONE YEARS OF AGE to smoke or ingest tobacco or shisha.

25 E. For the purposes of this section:

26 1. "Shisha" includes any mixture of tobacco leaf and honey, molasses
27 or dried fruit or any other sweetener.

28 2. "Tobacco product" means any of the following:

- 29 (a) Cigars.
- 30 (b) Cigarettes.
- 31 (c) Cigarette papers of any kind.
- 32 (d) Smoking tobacco of any kind.

1 (e) Chewing tobacco of any kind.

2 3. "Vapor product":

3 (a) Means a noncombustible tobacco-derived product containing
4 nicotine that employs a mechanical heating element, battery or circuit,
5 regardless of shape or size, that can be used to heat a liquid nicotine
6 solution contained in cartridges. ~~Vapor product~~

7 (b) Does not include any product that is regulated by the United
8 States food and drug administration under chapter V of the federal food,
9 drug, and cosmetic act.

10 Sec. 2. Section 36-798.01, Arizona Revised Statutes, is amended to
11 read:

12 36-798.01. Selling or giving beedies or bidis; violation;
13 classification

14 A. It is unlawful for a retail tobacco vendor to sell, furnish, give
15 or provide beedies or bidis to a ~~minor~~ PERSON WHO IS UNDER TWENTY-ONE YEARS
16 OF AGE in this state.

17 B. Any person who violates this section is guilty of a class 3
18 misdemeanor.

19 Sec. 3. Section 36-798.02, Arizona Revised Statutes, is amended to
20 read:

21 36-798.02. Vending machine sales of tobacco and tobacco
22 products; signage; violation; classification

23 A. A person shall not sell tobacco products through a vending
24 machine unless the vending machine is located in either:

25 1. A bar.

26 2. An employee lounge area that is not open to the public and the
27 business in which the lounge area is located does not employ minors.

28 B. A sign measuring at least eighty square inches shall be obviously
29 affixed to the front of each vending machine. The sign shall state in
30 block letters, ~~—~~ THAT it is illegal for a ~~minor~~ PERSON WHO IS UNDER
31 TWENTY-ONE YEARS OF AGE to purchase cigarettes or tobacco products and,

1 ~~upon~~ ON conviction, a fine of up to ~~three hundred dollars~~ \$300 may be
2 imposed.

3 C. This article does not invalidate an ordinance of or prohibit the
4 adoption of an ordinance by a county, city or town to further restrict the
5 location of vending machines or specify different wording for the vending
6 ~~machines~~ MACHINE signs as required by subsection B of this section.

7 D. A person who violates this section is guilty of a petty offense."

8 Amend title to conform

And, as so amended, it do pass

MATT GRESS
CHAIRMAN

1247EDUCATION.docx
03/18/2025
04:58 PM
C: VS