



RETAILER REFERENCE GUIDE

What is the new law?

- Tobacco 21 is the name of the law in Texas that raises the sales age for tobacco from 18 years to 21 years.
- The new law is effective September 1, 2019.
- A minor under this law is anyone under 21 years of age.
- A violation of this law can be by a minor purchasing or attempting to purchase, or anyone knowingly providing cigarettes, e-cigarettes, or tobacco products is punishable by a fine not to exceed \$100.
- All local and state law enforcement agencies can enforce the state law. El Paso County Sheriff, will conduct checks on vendors.
- Federal Synar survey will continue but only for those under 18 years. That remains the federal age limit.

What happens if you break it?

- The retailer penalty is on the clerk and the fine remains the same – up to \$500, classified as a Class C Misdemeanor.
- The mandate for store managers is to educate employees and provide written verification that education has occurred.

What is required of the retailer?

- A sign notifying of both carding and no sales under 21 years must be posted.
- Clerks must card anyone appearing under the age of 30 years.
- Individuals born on or before August 31, 2001 are exempt from this law.
- An active U.S. military identification card may be used by persons under 21 years of age but older than 18 years of age to purchase cigarettes, e-cigarettes, or tobacco products.

Why did Texas pass this law?

- Tobacco use continues to be the leading cause of preventable death in the United States.
- 95% of adult smokers start smoking before age 21.
- The minimum legal sales age to purchase, use, or possess tobacco was raised to reduce the risk that Texas youth will experiment with, and become addicted to, cigarettes, electronic cigarettes, or tobacco products.
- A National Academy of Medicine report found that among 15-17-year-olds there was an approximate 25 percent decrease in initiation of tobacco use with an increase in the tobacco sales age to 21 years.



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Compliance Under the New Law

- **Effective September 1, 2019** Texas raised the sales age for tobacco from 18 years to 21 years.
- It is a violation for anyone under 21* to purchase, or attempt to purchase cigarettes, e-cigarettes, or tobacco products.
- It is a violation for anyone to knowingly provide cigarettes, e-cigarettes, or tobacco product to someone under 21.
- All local state and laws enforcement agencies can enforce the state law. El Paso County Sheriff, will conduct checks on vendors.



TEXAS TOBACCO 21
UNDER 21 IS TOO YOUNG



TO AVOID PENALTIES OF UP TO \$500 :

Fine schedule remains the same and is classified as a Class C Misdemeanor.



A sign notifying of both carding and no sales under 21 years must be posted.



Clerks must card anyone appearing under the age of 30 years.



Store managers must educate employees and keep written record to verify education has occurred.

*EXEMPTIONS



Active U.S. military Identifications can be used by persons under 21 years of age but older than 18 years of age to purchase tobacco products.



Those born before August 31, 2001 are exempt from the law.

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