Understanding Tobacco Sales to Minors Laws

**PENAL CODE 308**

It is unlawful to sell, give, or in any way furnish to a minor any tobacco product or paraphernalia if an entity knows or should otherwise have the grounds to know that the recipient is a minor.

*Enforcement: Local law enforcement agencies by civil action*

**TOBACCO CONTROL ACT**

It is unlawful for any tobacco retailer to sell cigarettes or smokeless tobacco to any person under the age of 18.

*Enforcement: California Department of Public Health’s Food and Drug Branch*

**STAKE ACT**

It is unlawful for an entity to sell, give, or in any way furnish any tobacco product or paraphernalia to a person under the age of 18.

*Law enforced only against a business owner.*

*Enforcement: CA Department of Public Health, Attorney General’s office, and local law enforcement using youth decoys*

While there are many laws in California to regulate the sale of tobacco products to minors, the separate enforcement mechanisms make it difficult to enforce at the local level. Tobacco Retail Licensing (TRL) empowers local law enforcement to impose meaningful penalties for illegal sales to minors and ensure compliance with all existing laws. Some laws also fail to address other tobacco products such as little cigars or electronic cigarettes. TRL helps to bridge these gaps.

Contact the Placer County Tobacco Prevention Program at 530.886-3629 or 530.889.7152 for additional information.