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**SUBSTITUTE HOUSE BILL 1386**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** House Committee on Judiciary (originally sponsored by Representatives Chandler, Hansen, Van Luven, Mielke, Valle, Ludwig, Padden, Foreman, Shin, Brough, Campbell, Edmondson, Springer, Flemming and Tate)

Read first time 03/03/93.

1 AN ACT Relating to tobacco products; adding new sections to chapter  
2 26.28 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** It is unlawful for a person under the age of  
5 eighteen to purchase a tobacco product. After August 31, 1993, a  
6 person under eighteen years of age who purchases or attempts to  
7 purchase a tobacco product is guilty of a misdemeanor under RCW  
8 9A.20.021.

9 NEW SECTION. **Sec. 2.** (1) It is unlawful for a person under the  
10 age of eighteen to possess or use a tobacco product. It is a class 4  
11 civil infraction under chapter 7.80 RCW for a person under eighteen  
12 years of age to possess or use a tobacco product.

13 (2) A law enforcement officer may confiscate tobacco products found  
14 in the possession of a person under eighteen years of age and issue a  
15 warning. After August 31, 1993, a law enforcement officer may  
16 confiscate products found in the possession of a person under eighteen  
17 years of age and issue a notice of infraction. Tobacco products  
18 confiscated under this section shall be destroyed by the law

1 enforcement agency involved in the confiscation. For purposes of this  
2 section, "law enforcement officer" means city, county, or state law  
3 enforcement personnel.

4 (3) The principal, or principal's designee, of any public school  
5 operated under Title 28A RCW may confiscate tobacco products found in  
6 the possession of any person under the age of eighteen on school  
7 property, including a school bus.

8 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act are each added  
9 to chapter 26.28 RCW.

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