
SENATE BILL 6137

State of Washington 55th Legislature 1998 Regular Session

By Senators Oke, Goings, Rasmussen, Franklin and Fraser

Read first time 01/12/98. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to possession of tobacco by minors; amending RCW
2 70.155.080; creating a new section; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the protection of
5 adolescents' health requires a strong set of comprehensive health and
6 law enforcement interventions. We know that youth are deterred from
7 using alcohol in public because of existing laws making possession
8 illegal. However, while the purchase of tobacco by youth is clearly
9 prohibited, the possession of tobacco is not. It is the legislature's
10 intent that youth hear consistent messages from public entities,
11 including law enforcement, about public opposition to their illegal use
12 of tobacco products.

13 The legislature finds that the public sector must find additional
14 ways to decrease acceptability of cigarette and tobacco product
15 possession by adolescents and send a clear message to youth that the
16 public is not complacent about its use by youth. Citing youth for
17 tobacco possession establishes a social norm that tobacco is not
18 acceptable behavior. Aggressive possession laws with an educational
19 alternative to fines send a message to youths that society actually

1 does care about them and their health. When youth flagrantly disobey
2 the law and receive no consequences, they lose respect for the law and
3 law enforcement.

4 The legislature finds that the use of cigarettes and tobacco
5 products by adolescents is harmful to their health and because of the
6 highly addictive nature of tobacco-delivered nicotine, may lead to
7 life-long health problems. Tobacco has an immediate effect on the
8 body: Rapid heartbeat; increased pulse rate; shortness of breath;
9 reduced circulation; increased coughing and wheezing; allergy flare-up;
10 and more colds, flu, and pneumonia.

11 Tobacco use in adolescence is associated with a range of health-
12 compromising behaviors including being involved in fights, carrying
13 weapons, engaging in higher-risk sexual behavior, and using alcohol and
14 other drugs. Youth who smoke are fourteen times more likely to abuse
15 alcohol, one hundred times more likely to use marijuana, and thirty-two
16 times more likely to use cocaine. The statistics show that nearly all
17 new smokers in Washington are children or adolescents. Eighty-nine
18 percent of adult smokers begin smoking before age eighteen. The
19 average teenage smoker starts at age fourteen and becomes a regular
20 smoker by age eighteen. Each day, in America, three thousand young
21 people become smokers; nearly one-third will eventually die because of
22 their addiction.

23 **Sec. 2.** RCW 70.155.080 and 1993 c 507 s 9 are each amended to read
24 as follows:

25 (1) A person under the age of eighteen who purchases or attempts to
26 purchase, possesses or attempts to possess, or obtains or attempts to
27 obtain cigarettes or tobacco products commits a class 3 civil
28 infraction under chapter 7.80 RCW and is subject to a fine as set out
29 in chapter 7.80 RCW ((or)) and participation in up to four hours of
30 community service. The court may also require participation in a
31 smoking cessation program((, or both)). This provision does not apply
32 if a person under the age of eighteen, with parental authorization, is
33 participating in a controlled purchase as part of a liquor control
34 board, law enforcement, or local health department activity.

1 (2) Municipal and district courts within the state have
2 jurisdiction for enforcement of this section. All fines collected
3 under this section shall be retained by the court of jurisdiction.

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