

PREFILED DEC 21 2011

REFERENCE TITLE: hookah use; minors; prohibition

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

HB 2034

Introduced by
Representative Yee

AN ACT

AMENDING SECTION 13-3622, ARIZONA REVISED STATUTES; RELATING TO FAMILY OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

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

13-3622. Furnishing of tobacco or tobacco instruments or paraphernalia to minor; minor accepting or receiving tobacco or tobacco instruments or paraphernalia; illegally obtaining tobacco or tobacco instruments or paraphernalia by underage person; classification

A. A person who knowingly sells, gives or furnishes cigars, cigarettes or cigarette papers or, smoking or chewing tobacco OR ANY INSTRUMENT OR PARAPHERNALIA THAT IS DESIGNED FOR THE SMOKING OR INGESTION OF TOBACCO, INCLUDING A HOOKAH OR WATERPIPE, to a minor, ~~and~~ IS GUILTY OF A PETTY OFFENSE.

B. A minor who buys, or has in his possession or knowingly accepts or receives from any person, cigars, cigarettes or cigarette papers or, smoking or chewing tobacco of any kind, OR ANY INSTRUMENT OR PARAPHERNALIA THAT IS DESIGNED FOR THE SMOKING OR INGESTION OF TOBACCO, INCLUDING A HOOKAH OR WATERPIPE, is guilty of a petty offense, AND IF THE OFFENSE INVOLVES ANY INSTRUMENT OR PARAPHERNALIA THAT IS DESIGNED FOR THE SMOKING OR INGESTION OF TOBACCO, SHALL PAY A FINE OF NOT LESS THAN ONE HUNDRED DOLLARS OR PERFORM NOT LESS THAN THIRTY HOURS OF COMMUNITY SUPERVISION.

~~B.~~ C. A person who is under eighteen years of age and who misrepresents the person's age to any person by means of a written instrument of identification with the intent to induce the person to sell, give or furnish cigars, cigarettes or cigarette papers or, smoking or chewing tobacco OR ANY INSTRUMENT OR PARAPHERNALIA THAT IS DESIGNED FOR THE SMOKING OR INGESTION OF TOBACCO, INCLUDING A HOOKAH OR WATERPIPE, in violation of subsection A OR B OF THIS SECTION is guilty of a petty offense and, notwithstanding section 13-802, shall pay a fine of not more than five hundred dollars.

Sec. 2. Department of health services; adoption of hookah lounge rules

The department of health services shall adopt rules to protect the health and safety of hookah lounge patrons and employees by December 31, 2012.