

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0935.01 Jennifer Berman x3286

HOUSE BILL 16-1150

HOUSE SPONSORSHIP

Conti, Lawrence, Singer, Windholz

SENATE SPONSORSHIP

(None),

House Committees

Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A CLARIFICATION OF THE PROHIBITION AGAINST THE
102 POSSESSION OF NICOTINE PRODUCTS BY PERSONS UNDER
103 EIGHTEEN YEARS OF AGE BY EXPLICITLY ALLOWING A COUNTY
104 TO ENACT ITS OWN PROHIBITION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill clarifies that a county may enact an ordinance or resolution prohibiting a person who is under 18 years of age from possessing cigarettes, tobacco products, or nicotine products.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 25-14-301, **amend**
3 (4) as follows:

4 **25-14-301. Possession of cigarettes or tobacco products by a**
5 **person under eighteen prohibited - definitions.** (4) Nothing in this
6 section ~~shall be construed to prohibit any~~ PROHIBITS A statutory or home
7 rule municipality OR COUNTY from enacting an ordinance OR RESOLUTION
8 that prohibits the possession of cigarettes or tobacco products by a person
9 who is under eighteen years of age or imposes requirements more
10 stringent than provided in this section.

11 **SECTION 2.** In Colorado Revised Statutes, 30-15-401, **amend**
12 (1.5) as follows:

13 **30-15-401. General regulations - definitions.** (1.5) In addition
14 to any other powers, the board of county commissioners has the power to
15 adopt a resolution or an ordinance prohibiting ~~minors~~ A PERSON WHO IS
16 UNDER EIGHTEEN YEARS OF AGE from possessing cigarettes, ~~or~~ tobacco
17 products, OR NICOTINE PRODUCTS as defined by section ~~39-28.5-101 (5)~~
18 18-13-121 (5), C.R.S.

19 **SECTION 3. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2016 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.