COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2009, Legislative Day No. 14

Bill No. 68-09

Mr. Joseph Bartenfelder, Chairman
By Request of County Executive

By the County Council, September 8, 2009

A BILL
ENTITLED

AN ACT concerning

Tobacco Enforcement - Examination of Identification

FOR the purpose of requiring a person selling a tobacco product to check the age of a buyer under

certain circumstances; and generally relating to Tobacco Enforcement in the county.

By adding

Sections 13-12-103.1
Title 12. Distribution of Tobacco Products to Minors
Article 13. Public Health, Safety and the Environment
Baltimore County Code, 2003

1   SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL FOR BALTIMORE

2   COUNTY, MARYLAND, that Section 13-12-103.1 is hereby added to Title 12. Distribution of

3   Tobacco Products to Minors, of Article 13. Public Health, Safety and the Environment, of the

4   Baltimore County Code, 2003, as amended, to read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
                    [Brackets] indicate matter stricken from existing law.
                    Strike out indicates matter stricken from bill.
                    Underlining indicates amendments to bill.

1   § 13-12-103.1.

2   (A) AN OWNER OR ANY OTHER PERSON SHALL DEMAND PROOF OF AGE FROM

3   A PROSPECTIVE PURCHASER OF A TOBACCO PRODUCT IF THE OWNER OR OTHER

4   PERSON HAS REASONABLE GROUNDS TO BELIEVE THAT THE PROSPECTIVE

5   PURCHASER IS UNDER 26 YEARS OF AGE.

6   (B) FAILURE TO DEMAND PROOF OF AGE AS REQUIRED BY THIS SECTION IS

7   A VIOLATION IF IN FACT THE PROSPECTIVE PURCHASER IS UNDER 26 YEARS OF

8   AGE.

9   (C) PROOF THAT THE OWNER OR OTHER PERSON DEMANDED, WAS SHOWN,

10   AND REASONABLY RELIED UPON PROOF OF AGE SHALL BE A DEFENSE TO ANY

11   ACTION BROUGHT UNDER THIS SECTION.

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13   SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having passed by the

14   affirmative vote of five members of the County Council, shall take effect on October 18, 2009.

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