

1 A bill to be entitled
2 An act relating to tobacco products; amending s.
3 210.095, F.S.; revising shipping documentation
4 requirements for specified sales of tobacco products;
5 providing criminal and noncriminal penalties; amending
6 s. 322.056, F.S.; deleting provisions requiring driver
7 license penalties for certain persons who commit
8 tobacco-related offenses; amending s. 569.002, F.S.;
9 defining the term "electronic smoking device";
10 redefining the terms "tobacco products" and "any
11 person under the age of 18"; amending s. 569.007,
12 F.S.; providing that it is unlawful to sell or deliver
13 tobacco products to persons under 21 years of age;
14 amending s. 569.0075, F.S.; prohibiting certain
15 entities from gifting sample tobacco products to
16 persons under 21 years of age; amending s. 569.008,
17 F.S.; providing legislative intent; amending s.
18 569.101, F.S.; providing that it is unlawful to sell,
19 deliver, barter, furnish, or give tobacco products to
20 persons under 21 years of age; revising penalties for
21 violations; amending s. 569.11, F.S.; deleting
22 provisions relating to persons under 18 years of age
23 possessing tobacco products; providing that it is
24 unlawful for persons under 21 years of age to
25 misrepresent their age to acquire tobacco products;

26 revising the penalties for certain persons who
27 misrepresent their age; deleting a provision requiring
28 a person participating in community service to be
29 considered an employee of the state for certain
30 purposes; conforming a provision to changes made by
31 the act; amending ss. 569.12, 569.14, and 569.19,
32 F.S.; conforming provisions to changes made by the
33 act; repealing s. 877.112, F.S., relating to
34 restrictions on the sale and delivery of nicotine
35 products and nicotine dispensing devices; providing an
36 effective date.

37
38 Be It Enacted by the Legislature of the State of Florida:

39
40 Section 1. Subsection (5) and paragraphs (e) and (g) of
41 subsection (8) of section 210.095, Florida Statutes, are amended
42 to read:

43 210.095 Mail order, Internet, and remote sales of tobacco
44 products; age verification.—

45 (5) Each person who mails, ships, or otherwise delivers
46 tobacco products in connection with an order for a delivery sale
47 must:

48 (a) Include as part of the shipping documents, in a clear
49 and conspicuous manner, the following statement: "Tobacco
50 Products: Florida law prohibits shipping to individuals under 21

51 | ~~18~~ years of age and requires the payment of all applicable
 52 | taxes."

53 | (b) Use a method of mailing, shipping, or delivery which
 54 | obligates the delivery service to require:

55 | 1. The individual submitting the order for the delivery
 56 | sale or another adult who resides at the individual's address to
 57 | sign his or her name to accept delivery of the shipping
 58 | container. Proof of the legal minimum purchase age of the
 59 | individual accepting delivery is required only if the individual
 60 | appears to be under 27 years of age.

61 | 2. Proof that the individual is either the addressee or
 62 | the adult designated by the addressee, in the form of a valid,
 63 | government-issued identification card bearing a photograph of
 64 | the individual who signs to accept delivery of the shipping
 65 | container.

66 | (c) Provide to the delivery service, if such service is
 67 | used, evidence of full compliance with subsection (7).
 68 |

69 | Any person who violates paragraph (a) commits a noncriminal
 70 | violation and must serve at least 20 hours of community service.

71 | Any person who violates paragraph (a) a second or subsequent
 72 | time within 1 year of the first violation, commits a noncriminal
 73 | violation and must serve at least 40 hours of community service

74 | ~~If the person accepting a purchase order for a delivery sale~~
 75 | ~~delivers the tobacco products without using a delivery service,~~

76 | ~~the person must comply with all of the requirements of this~~
 77 | ~~section which apply to a delivery service. Any failure to comply~~
 78 | ~~with a requirement of this section constitutes a violation~~
 79 | ~~thereof.~~

80 | (8)

81 | (e) A person who, in connection with a delivery sale,
 82 | delivers tobacco products on behalf of a delivery service to an
 83 | individual who is not an adult commits a misdemeanor of the
 84 | second degree ~~of the third degree~~, punishable as provided in s.
 85 | 775.082 or s. 775.083.

86 | ~~(g) An individual who is not an adult and who knowingly~~
 87 | ~~violates any provision of this section commits a misdemeanor of~~
 88 | ~~the third degree, punishable as provided in s. 775.082 or s.~~
 89 | ~~775.083.~~

90 | Section 2. Section 322.056, Florida Statutes, is amended
 91 | to read:

92 | 322.056 Mandatory revocation or suspension of, or delay of
 93 | eligibility for, driver license for persons under age 18 found
 94 | guilty of certain alcohol or ~~drug, or tobacco~~ offenses;
 95 | prohibition.—

96 | (1) Notwithstanding the provisions of s. 322.055, if a
 97 | person under 18 years of age is found guilty of or delinquent
 98 | for a violation of s. 562.11(2), s. 562.111, or chapter 893,
 99 | and:

100 | (a) The person is eligible by reason of age for a driver

101 license or driving privilege, the court shall direct the
 102 department to revoke or to withhold issuance of his or her
 103 driver license or driving privilege for a period of:

104 1. Not less than 6 months and not more than 1 year for the
 105 first violation.

106 2. Two years, for a subsequent violation.

107 (b) The person's driver license or driving privilege is
 108 under suspension or revocation for any reason, the court shall
 109 direct the department to extend the period of suspension or
 110 revocation by an additional period of:

111 1. Not less than 6 months and not more than 1 year for the
 112 first violation.

113 2. Two years, for a subsequent violation.

114 (c) The person is ineligible by reason of age for a driver
 115 license or driving privilege, the court shall direct the
 116 department to withhold issuance of his or her driver license or
 117 driving privilege for a period of:

118 1. Not less than 6 months and not more than 1 year after
 119 the date on which he or she would otherwise have become
 120 eligible, for the first violation.

121 2. Two years after the date on which he or she would
 122 otherwise have become eligible, for a subsequent violation.

123

124 However, the court may, in its sound discretion, direct the
 125 department to issue a license for driving privileges restricted

126 to business or employment purposes only, as defined in s.
 127 322.271, if the person is otherwise qualified for such a
 128 license.

129 ~~(2) If a person under 18 years of age is found by the~~
 130 ~~court to have committed a noncriminal violation under s. 569.11~~
 131 ~~or s. 877.112(6) or (7) and that person has failed to comply~~
 132 ~~with the procedures established in that section by failing to~~
 133 ~~fulfill community service requirements, failing to pay the~~
 134 ~~applicable fine, or failing to attend a locally available~~
 135 ~~school-approved anti-tobacco program, and:~~

136 ~~(a) The person is eligible by reason of age for a driver~~
 137 ~~license or driving privilege, the court shall direct the~~
 138 ~~department to revoke or to withhold issuance of his or her~~
 139 ~~driver license or driving privilege as follows:~~

- 140 ~~1. For the first violation, for 30 days.~~
- 141 ~~2. For the second violation within 12 weeks of the first~~
 142 ~~violation, for 45 days.~~

143 ~~(b) The person's driver license or driving privilege is~~
 144 ~~under suspension or revocation for any reason, the court shall~~
 145 ~~direct the department to extend the period of suspension or~~
 146 ~~revocation by an additional period as follows:~~

- 147 ~~1. For the first violation, for 30 days.~~
- 148 ~~2. For the second violation within 12 weeks of the first~~
 149 ~~violation, for 45 days.~~

150 ~~(c) The person is ineligible by reason of age for a driver~~

151 ~~license or driving privilege, the court shall direct the~~
152 ~~department to withhold issuance of his or her driver license or~~
153 ~~driving privilege as follows:~~

154 ~~1. For the first violation, for 30 days.~~

155 ~~2. For the second violation within 12 weeks of the first~~
156 ~~violation, for 45 days.~~

157

158 ~~Any second violation of s. 569.11 or s. 877.112(6) or (7) not~~
159 ~~within the 12-week period after the first violation will be~~
160 ~~treated as a first violation and in the same manner as provided~~
161 ~~in this subsection.~~

162 ~~(3) If a person under 18 years of age is found by the~~
163 ~~court to have committed a third violation of s. 569.11 or s.~~
164 ~~877.112(6) or (7) within 12 weeks of the first violation, the~~
165 ~~court must direct the Department of Highway Safety and Motor~~
166 ~~Vehicles to suspend or withhold issuance of his or her driver~~
167 ~~license or driving privilege for 60 consecutive days. Any third~~
168 ~~violation of s. 569.11 or s. 877.112(6) or (7) not within the~~
169 ~~12-week period after the first violation will be treated as a~~
170 ~~first violation and in the same manner as provided in subsection~~
171 ~~(2).~~

172 (2)(4) A penalty imposed under this section shall be in
173 addition to any other penalty imposed by law.

174 ~~(5) The suspension or revocation of a person's driver~~
175 ~~license imposed pursuant to subsection (2) or subsection (3),~~

176 ~~shall not result in or be cause for an increase of the convicted~~
177 ~~person's, or his or her parent's or legal guardian's, automobile~~
178 ~~insurance rate or premium or result in points assessed against~~
179 ~~the person's driving record.~~

180 Section 3. Subsections (3) through (7) of section 569.002,
181 Florida Statutes, are renumbered as subsections (4) through (8),
182 respectively, present subsections (6) and (7) are amended, and a
183 new subsection (3) is added to that section, to read:

184 569.002 Definitions.—As used in this chapter, the term:

185 (3) "Electronic smoking device" means any device that can
186 be used to deliver aerosolized or vaporized nicotine to the
187 person inhaling from the device, including, but not limited to,
188 an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. The term
189 includes any component, part, or accessory of such a device,
190 sold separately or with the device, and includes any nicotine
191 substance intended to be aerosolized or vaporized during the use
192 of the device. The term does not include drugs, devices, or
193 combination products authorized for sale by the United States
194 Food and Drug Administration, as those terms are defined in the
195 Federal Food, Drug, and Cosmetic Act.

196 (7)-(6) "Tobacco products" means any product that is made
197 from or derived from tobacco or that contains nicotine,
198 including loose tobacco leaves, and products made from tobacco
199 leaves, in whole or in part, that is intended for human
200 consumption or is likely to be consumed, whether smoked, heated,

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201 chewed, absorbed, dissolved, inhaled, or ingested by any other
202 means. The term includes electronic smoking devices and any
203 component or accessory of such a device containing nicotine that
204 is used in the consumption of a tobacco product. The term does
205 not include drugs, devices, or combination products authorized
206 for sale by the United States Food and Drug Administration, as
207 those terms are defined in the Federal Food, Drug, and Cosmetic
208 Act includes loose tobacco leaves, and products made from
209 ~~tobacco leaves, in whole or in part, and cigarette wrappers,~~
210 ~~which can be used for smoking, sniffing, or chewing.~~

211 (8)~~(7)~~ "Any person under the age of 21 ~~18~~" does not
212 include any person under the age of 21 ~~18~~ who:

213 (a) Has had his or her disability of nonage removed under
214 chapter 743;

215 (b) Is in the military reserve or on active duty in the
216 Armed Forces of the United States;

217 (c) Is otherwise emancipated by a court of competent
218 jurisdiction and released from parental care and responsibility;
219 or

220 (d) Is acting in his or her scope of lawful employment
221 with an entity licensed under the provisions of chapter 210 or
222 this chapter.

223 Section 4. Subsection (1) of section 569.007, Florida
224 Statutes, is amended to read:

225 569.007 Sale or delivery of tobacco products;

226 restrictions.—

227 (1) In order to prevent persons under 21 ~~18~~ years of age
 228 from purchasing or receiving tobacco products, the sale or
 229 delivery of tobacco products is prohibited, except:

230 (a) When under the direct control or line of sight of the
 231 dealer or the dealer's agent or employee; or

232 (b) Sales from a vending machine are prohibited under the
 233 provisions of paragraph (1)(a) and are only permissible from a
 234 machine that is equipped with an operational lockout device
 235 which is under the control of the dealer or the dealer's agent
 236 or employee who directly regulates the sale of items through the
 237 machine by triggering the lockout device to allow the dispensing
 238 of one tobacco product. The lockout device must include a
 239 mechanism to prevent the machine from functioning if the power
 240 source for the lockout device fails or if the lockout device is
 241 disabled, and a mechanism to ensure that only one tobacco
 242 product is dispensed at a time.

243 Section 5. Section 569.0075, Florida Statutes, is amended
 244 to read:

245 569.0075 Gift of sample tobacco products prohibited.—The
 246 gift of sample tobacco products to any person under the age of
 247 21 ~~18~~ by an entity licensed or permitted under the provisions of
 248 chapter 210 or this chapter, or by an employee of such entity,
 249 is prohibited and is punishable as provided in s. 569.101.

250 Section 6. Subsections (1) and (2) of section 569.008,

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251 Florida Statutes, are amended to read:

252 569.008 Responsible retail tobacco products dealers;
253 qualifications; mitigation of disciplinary penalties; diligent
254 management and supervision; presumption.—

255 (1) The Legislature intends to prevent the sale of tobacco
256 products to persons under 21 ~~18~~ years of age and to encourage
257 retail tobacco products dealers to comply with responsible
258 practices in accordance with this section.

259 (2) To qualify as a responsible retail tobacco products
260 dealer, the dealer must establish and implement procedures
261 designed to ensure that the dealer's employees comply with the
262 provisions of this chapter. The dealer must provide a training
263 program for the dealer's employees which addresses the use and
264 sale of tobacco products and which includes at least the
265 following topics:

266 (a) Laws covering the sale of tobacco products.

267 (b) Methods of recognizing and handling customers under 21
268 ~~18~~ years of age.

269 (c) Procedures for proper examination of identification
270 cards in order to verify that customers are not under 21 ~~18~~
271 years of age.

272 (d) The use of the age audit identification function on
273 electronic point-of-sale equipment, where available.

274 Section 7. Section 569.101, Florida Statutes, is amended
275 to read:

276 569.101 Selling, delivering, bartering, furnishing, or
 277 giving tobacco products to persons under 21 ~~18~~ years of age;
 278 criminal penalties; defense.—

279 (1) It is unlawful to sell, deliver, barter, furnish, or
 280 give, directly or indirectly, to any person who is under 21 ~~18~~
 281 years of age, any tobacco product.

282 (2) Any person who violates subsection (1) commits a
 283 noncriminal violation punishable by a fine of no more than \$500
 284 ~~misdemeanor of the second degree, punishable as provided in s.~~
 285 ~~775.082 or s. 775.083.~~ However, any person who violates
 286 subsection (1) for a second or subsequent time within 1 year of
 287 the first violation, commits a noncriminal violation punishable
 288 by a fine of no more than \$1,000 ~~misdemeanor of the first~~
 289 ~~degree, punishable as provided in s. 775.082 or s. 775.083.~~

290 (3) A person charged with a violation of subsection (1)
 291 has a complete defense if, at the time the tobacco product was
 292 sold, delivered, bartered, furnished, or given:

293 (a) The buyer or recipient falsely evidenced that she or
 294 he was 21 ~~18~~ years of age or older;

295 (b) The appearance of the buyer or recipient was such that
 296 a prudent person would believe the buyer or recipient to be 21
 297 ~~18~~ years of age or older; and

298 (c) Such person carefully checked a driver license or an
 299 identification card issued by this state or another state of the
 300 United States, a passport, or a United States armed services

301 identification card presented by the buyer or recipient and
302 acted in good faith and in reliance upon the representation and
303 appearance of the buyer or recipient in the belief that the
304 buyer or recipient was 21 ~~18~~ years of age or older.

305 Section 8. Section 569.11, Florida Statutes, is amended to
306 read:

307 569.11 ~~Possession,~~ Misrepresenting age ~~or military service~~
308 to purchase~~,~~ and purchase of tobacco products by persons under
309 21 ~~18~~ years of age prohibited; penalties; jurisdiction;
310 ~~disposition of fines.-~~

311 ~~(1) It is unlawful for any person under 18 years of age to~~
312 ~~knowingly possess any tobacco product. Any person under 18 years~~
313 ~~of age who violates the provisions of this subsection commits a~~
314 ~~noncriminal violation as provided in s. 775.08(3), punishable~~
315 ~~by:~~

316 ~~(a) For a first violation, 16 hours of community service~~
317 ~~or, instead of community service, a \$25 fine. In addition, the~~
318 ~~person must attend a school-approved anti-tobacco program, if~~
319 ~~locally available;~~

320 ~~(b) For a second violation within 12 weeks of the first~~
321 ~~violation, a \$25 fine; or~~

322 ~~(c) For a third or subsequent violation within 12 weeks of~~
323 ~~the first violation, the court must direct the Department of~~
324 ~~Highway Safety and Motor Vehicles to withhold issuance of or~~
325 ~~suspend or revoke the person's driver license or driving~~

326 ~~privilege, as provided in s. 322.056.~~

327

328 ~~Any second or subsequent violation not within the 12-week time~~
329 ~~period after the first violation is punishable as provided for a~~
330 ~~first violation.~~

331 (1)~~(2)~~ It is unlawful for any person under 21 ~~18~~ years of
332 age to misrepresent his or her age ~~or military service~~ for the
333 purpose of inducing a dealer or an agent or employee of the
334 dealer to sell, give, barter, furnish, or deliver any tobacco
335 product, or to purchase, or attempt to purchase, any tobacco
336 product from a person or a vending machine. ~~Any person under 18~~
337 ~~years of age who violates a provision of this subsection commits~~
338 ~~a noncriminal violation as provided in s. 775.08(3), punishable~~
339 ~~by:~~

340 ~~(a) For a first violation, 16 hours of community service~~
341 ~~or, instead of community service, a \$25 fine and, in addition,~~
342 ~~the person must attend a school-approved anti-tobacco program,~~
343 ~~if available;~~

344 ~~(b) For a second violation within 12 weeks of the first~~
345 ~~violation, a \$25 fine; or~~

346 ~~(c) For a third or subsequent violation within 12 weeks of~~
347 ~~the first violation, the court must direct the Department of~~
348 ~~Highway Safety and Motor Vehicles to withhold issuance of or~~
349 ~~suspend or revoke the person's driver license or driving~~
350 ~~privilege, as provided in s. 322.056.~~

351
352 ~~Any second or subsequent violation not within the 12-week time~~
353 ~~period after the first violation is punishable as provided for a~~
354 ~~first violation.~~

355 ~~(3) Any person under 18 years of age cited for committing~~
356 ~~a noncriminal violation under this section must sign and accept~~
357 ~~a civil citation indicating a promise to appear before the~~
358 ~~county court or comply with the requirement for paying the fine~~
359 ~~and must attend a school-approved anti-tobacco program, if~~
360 ~~locally available. If a fine is assessed for a violation of this~~
361 ~~section, the fine must be paid within 30 days after the date of~~
362 ~~the citation or, if a court appearance is mandatory, within 30~~
363 ~~days after the date of the hearing.~~

364 ~~(2)-(4)~~ A person charged with a noncriminal violation under
365 this section must appear before the county court ~~or comply with~~
366 ~~the requirement for paying the fine.~~ The court, after a hearing,
367 shall make a determination as to whether the noncriminal
368 violation was committed. If the court finds the violation was
369 committed, it shall impose an appropriate penalty as specified
370 in subsection (3).

371 (3) Any person who violates subsection (1) commits a
372 noncriminal violation and must serve at least 20 hours of
373 community service. Any person who violates subsection (1) a
374 second or subsequent time within 1 year of the first violation,
375 commits a noncriminal violation and must serve at least 40 hours

376 of community service. ~~(1) or subsection (2).~~ A person who
377 participates in community service shall be considered an
378 employee of the state for the purpose of chapter 440, for the
379 duration of such service.

380 ~~(5) (a) If a person under 18 years of age is found by the~~
381 ~~court to have committed a noncriminal violation under this~~
382 ~~section and that person has failed to complete community~~
383 ~~service, pay the fine as required by paragraph (1) (a) or~~
384 ~~paragraph (2) (a), or attend a school-approved anti-tobacco~~
385 ~~program, if locally available, the court must direct the~~
386 ~~Department of Highway Safety and Motor Vehicles to withhold~~
387 ~~issuance of or suspend the driver license or driving privilege~~
388 ~~of that person for a period of 30 consecutive days.~~

389 ~~(b) If a person under 18 years of age is found by the~~
390 ~~court to have committed a noncriminal violation under this~~
391 ~~section and that person has failed to pay the applicable fine as~~
392 ~~required by paragraph (1) (b) or paragraph (2) (b), the court must~~
393 ~~direct the Department of Highway Safety and Motor Vehicles to~~
394 ~~withhold issuance of or suspend the driver license or driving~~
395 ~~privilege of that person for a period of 45 consecutive days.~~

396 ~~(6) Eighty percent of all civil penalties received by a~~
397 ~~county court pursuant to this section shall be remitted by the~~
398 ~~clerk of the court to the Department of Revenue for transfer to~~
399 ~~the Department of Education to provide for teacher training and~~
400 ~~for research and evaluation to reduce and prevent the use of~~

401 ~~tobacco products by children. The remaining 20 percent of civil~~
402 ~~penalties received by a county court pursuant to this section~~
403 ~~shall remain with the clerk of the county court to cover~~
404 ~~administrative costs.~~

405 Section 9. Paragraph (b) of subsection (2) and subsection
406 (3) of section 569.12, Florida Statutes, are amended to read:

407 569.12 Jurisdiction; tobacco product enforcement officers
408 or agents; enforcement.—

409 (2)

410 (b) A tobacco product enforcement officer is authorized to
411 issue a citation to a person under the age of 21 ~~18~~ when, based
412 upon personal investigation, the officer has reasonable cause to
413 believe that the person has committed a civil infraction in
414 violation of s. 386.212 or s. 569.11.

415 (3) A correctional probation officer as defined in s.
416 943.10(3) is authorized to issue a citation to a person under
417 the age of 21 ~~18~~ when, based upon personal investigation, the
418 officer has reasonable cause to believe that the person has
419 committed a civil infraction in violation of s. 569.11.

420 Section 10. Section 569.14, Florida Statutes, is amended
421 to read:

422 569.14 Posting of a sign stating that the sale of tobacco
423 products to persons under the age of 21 ~~18 years of age~~ is
424 unlawful; enforcement; penalty.—

425 (1) A dealer that sells tobacco products shall post a

426 clear and conspicuous sign in each place of business where such
 427 products are sold which substantially states the following:

428
 429 THE SALE OF TOBACCO PRODUCTS TO PERSONS UNDER THE AGE OF 21 ~~18~~
 430 IS AGAINST FLORIDA LAW. PROOF OF AGE IS REQUIRED FOR PURCHASE.

431
 432 ~~(2) A dealer that sells tobacco products and nicotine~~
 433 ~~products or nicotine dispensing devices, as defined in s.~~
 434 ~~877.112, may use a sign that substantially states the following:~~

435
 436 ~~THE SALE OF TOBACCO PRODUCTS, NICOTINE PRODUCTS, OR NICOTINE~~
 437 ~~DISPENSING DEVICES TO PERSONS UNDER THE AGE OF 18 IS AGAINST~~
 438 ~~FLORIDA LAW. PROOF OF AGE IS REQUIRED FOR PURCHASE.~~

439
 440 ~~A dealer that uses a sign as described in this subsection meets~~
 441 ~~the signage requirements of subsection (1) and s. 877.112.~~

442 (2) ~~(3)~~ The division shall make available to dealers of
 443 tobacco products signs that meet the requirements of subsection
 444 (1) ~~or subsection (2)~~.

445 (3) ~~(4)~~ Any dealer that sells tobacco products shall
 446 provide at the checkout counter in a location clearly visible to
 447 the dealer or the dealer's agent or employee instructional
 448 material in a calendar format or similar format to assist in
 449 determining whether a person is of legal age to be sold ~~purchase~~
 450 tobacco products. This point of sale material must contain

451 substantially the following language:

452

453 IF YOU WERE NOT BORN BEFORE THIS DATE

454 (insert date and applicable year)

455 YOU CANNOT BE SOLD ~~BUY~~ TOBACCO PRODUCTS.

456

457 Upon approval by the division, in lieu of a calendar a dealer
 458 may use card readers, scanners, or other electronic or automated
 459 systems that can verify whether a person is of legal age to
 460 purchase tobacco products. Failure to comply with the provisions
 461 contained in this subsection shall result in imposition of
 462 administrative penalties as provided in s. 569.006.

463 (4)~~(5)~~ The division, through its agents and inspectors,
 464 shall enforce this section.

465 (5)~~(6)~~ Any person who fails to comply with subsection (1)
 466 is guilty of a misdemeanor of the second degree, punishable as
 467 provided in ~~s. 775.082~~ or s. 775.083.

468 Section 11. Subsections (3) and (4) of section 569.19,
 469 Florida Statutes, are amended to read:

470 569.19 Annual report.—The division shall report annually
 471 with written findings to the Legislature and the Governor by
 472 December 31, on the progress of implementing the enforcement
 473 provisions of this chapter. This must include, but is not
 474 limited to:

475 (3) The number of violations for selling tobacco products

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476 | to persons under the age of 21 ~~18~~, and the results of
477 | administrative hearings on the above and related issues.

478 | (4) The number of persons under the age of 21 ~~18~~ cited for
479 | violations of s. 569.11 and sanctions imposed as a result of
480 | citation.

481 | Section 12. Section 877.112, Florida Statutes, is
482 | repealed.

483 | Section 13. This act shall take effect October 1, 2019.