

25-14-301. Possession of cigarettes or tobacco products by a minor prohibited - definitions.

- (1) This section shall be known and may be cited as the "Teen Tobacco Use Prevention Act".
- (2) (a) Possession of a cigarette or tobacco product by a person who is under eighteen years of age is prohibited.
- (b) It shall not be an offense under paragraph (a) of this subsection (2) if the person under eighteen years of age was acting at the direction of an employee of a governmental agency authorized to enforce or ensure compliance with laws relating to the prohibition of the sale of cigarettes and tobacco products to minors.
- (3) As used in this section, unless the context otherwise requires:
- (a) "Cigarette" shall have the same meaning as set forth in section 39-28-202 (4), C.R.S.
- (b) "Possession" means that a person:
- (I) Has or holds any amount of cigarettes or tobacco products anywhere on his or her person;
- (II) Owns or has custody of cigarettes or tobacco products; or
- (III) Has cigarettes or tobacco products within his or her immediate presence and control.
- (c) "Tobacco product" shall have the same meaning as set forth in section 18-13-121 (5), C.R.S.
- (4) Nothing in this section shall be construed to prohibit any statutory or home rule municipality from enacting an ordinance that prohibits the possession of cigarettes or tobacco products by a person who is under eighteen years of age or imposes requirements more stringent than provided in this section.
- (5) A violation of paragraph (a) of subsection (2) of this section is a noncriminal offense.

Source: L. 2008: Entire part added, p. 887, § 2, effective July 1.
