

## **BILL ANALYSIS**

Senate Research Center  
80R11666 ABC-D

C.S.S.B. 448  
By: Uresti et al.  
Health & Human Services  
4/11/2007  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, 18-year-olds are allowed to purchase tobacco products in this state. In 2004, 22 percent of high school students and over eight percent of middle school students were smokers. Over 90 percent of smokers began smoking before the age of 21. Smoking has been linked to increased risks for heart disease, cancer, emphysema, strokes, and many other preventable illnesses. The costs of tobacco ailments in terms of health care costs is staggering. Furthermore, 18-year-olds, many of whom are still in high school, may be disseminating tobacco products to their underage peers.

C.S.S.B. 448 increases the minimum age for the purchase of tobacco products from 18 years of age to 19 years of age.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 161.081, Health and Safety Code, by adding Subdivision (1-a), to define "minor."

SECTION 2. Amends the heading to Section 161.082, Health and Safety Code, to read as follows:

Sec. 161.082. SALE OF CIGARETTES OR TOBACCO PRODUCTS TO PERSONS YOUNGER THAN 19 YEARS OF AGE PROHIBITED; PROOF OF AGE REQUIRED.

SECTION 3. Amends Sections 161.082(a) and (e), Health and Safety Code, as follows:

(a) Provides that a person commits an offense if the person with criminal negligence sells, gives, or causes to be sold or given a cigarette or tobacco product to someone who is younger than 19, rather than 18, years of age, or to another person who intends to deliver it to someone who is 19, rather than 18, years of age.

(e) Makes a conforming change.

SECTION 4. Amends Section 161.084(b), Health and Safety Code, to make a conforming change.

SECTION 5. Amends Sections 161.085(a) and (b), Health and Safety Code, to make conforming changes.

SECTION 6. Amends Section 161.086(b), Health and Safety Code, to make a conforming change.

SECTION 7. Amends Sections 161.087(a) and (b), Health and Safety Code, to make conforming changes.

SECTION 8. Amends Sections 161.088(b) and (d), Health and Safety Code, as follows:

(b) Makes a conforming change.

(d) Increases from 17 to 18 years the age requirement for a minor decoy to test compliance of this subchapter. Makes a conforming change.

SECTION 9. Amends Section 161.251, Health and Safety Code, by adding Subdivision (1-a), to define "minor."

SECTION 10. Amends Sections 161.252(a), (b), and (c), Health and Safety Code, to make conforming changes.

SECTION 11. Amends Section 161.453(a), Health and Safety Code, to make a conforming change.

SECTION 12. Amends Section 161.455(a), Health and Safety Code, to make a conforming change.

SECTION 13. Makes application of this Act prospective.

SECTION 14. Effective date: September 1, 2007.