



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

## BILL ANALYSIS



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Senate Bill 74 (Substitute S-1 as reported)  
Sponsor: Senator Steven Bieda  
Committee: Judiciary

**CONTENT**

The bill would amend the Youth Tobacco Act to do the following:

- Increase the fine for selling, giving, or furnishing a tobacco product to a minor and for a minor's purchase, possession, or use of a tobacco product.
- Establish an enhanced fine for a second or subsequent violation occurring within 12 months after a previous violation, or, for a retailer, a second or subsequent offense occurring at the same location as the first violation.

The Act prohibits a person from selling, giving, or furnishing a tobacco product to a minor (a person under 18 years of age). The Act also prohibits a minor from doing any of the following: purchasing or attempting to purchase a tobacco product; possessing or attempting to possess a tobacco product; using a tobacco product in a public place; or presenting or offering to a person a purported proof of age that is false, fraudulent, or not his or her own, for the purpose of buying or possessing, or attempting to buy or possess a tobacco product.

The violations described above are misdemeanors punishable by a fine of not more than \$50 for each violation. Under the bill, the misdemeanors would be punishable by a maximum fine of \$100 for a first violation and up to \$500 for a second or subsequent violation occurring within 12 months after a previous violation. A retailer who violated the prohibition against selling, giving, or furnishing a tobacco product to a minor, however, would be guilty of a misdemeanor punishable by a maximum fine of \$100 for a first offense and up to \$500 for a second or subsequent violation occurring at the same location as the first offense.

MCL 722.641 & 722.642

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill would have no fiscal impact on the State. From the proposed increase in fine amounts, there could be an increase in revenue, which would be dedicated to public libraries.

Date Completed: 2-8-17

Fiscal Analyst: Ryan Bergan