

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Substance Use Disorder Act is amended by
5 adding Section 55-36 as follows:

6 (20 ILCS 301/55-36 new)

7 Sec. 55-36. Compliance checks; tobacco retailers.

8 (a) Definitions. As used in this Section:

9 "Alternative nicotine product" has the meaning ascribed to
10 that term in Section 1 of the Prevention of Tobacco Use by
11 Persons under 21 Years of Age and Sale and Distribution of
12 Tobacco Products Act.

13 "E-cigarette" has the meaning ascribed to the term
14 "electronic cigarette" in Section 10-5 of the Tobacco Products
15 Tax Act of 1995.

16 "Retailer" has the meaning ascribed to that term in
17 Section 10-5 of the Tobacco Products Tax Act of 1995.

18 (b) As a means to reduce the consumption of tobacco
19 products, alternative nicotine products, and e-cigarettes by
20 persons under 21 years of age, the Department may conduct
21 compliance checks of retailers to investigate whether such
22 retailers are selling tobacco products, alternative nicotine
23 products, or e-cigarettes to persons under 21 years of age in

1 violation of the Prevention of Tobacco Use by Persons under 21
2 Years of Age and Sale and Distribution of Tobacco Products
3 Act. Compliance checks may be conducted by underage
4 individuals under the supervision of local law enforcement and
5 the Illinois State Police. The Illinois State Police shall
6 communicate with local police departments and sheriffs'
7 departments to ensure coordination and collaboration and to
8 ensure its efforts do not duplicate any local compliance check
9 activities. Underage individuals who purchase tobacco
10 products, alternative nicotine products, or e-cigarettes while
11 conducting supervised compliance checks shall not be in
12 violation of any local or State laws pertaining to underage
13 tobacco purchase or possession.