

Offenses by Juveniles

11-2-1 Purchase or Possession of Tobacco Products

Chapter 2 - State Statutes Adopted

Sec. 11-2-1 Purchase or Possession of Tobacco Products.

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

- (1) **Cigarette** has the meaning given in Sec. 139.30(1), Wis. Stats.
- (2) **Distributor** means a person specified under Sec. 139.30(3) or 139.75(4), Wis. Stats.
- (3) **Identification card** means a license containing photograph issued under Ch. 343, Wis. Stats., an identification card issued under Sec. 343.50, Wis. Stats., or an identification card issued under Sec. 125.08, Wis. Stats.
- (4) **Jobber** has the meaning given in Sec. 139.30(6), Wis. Stats.
- (5) **Law enforcement officer** has the meaning given in Sec. 30.50(4s), Wis. Stats.
- (6) **Manufacturer** means any person specified under Secs. 139.30(7) or 139.75(5), Wis. Stats.
- (7) **Retailer** means any person licensed under Sec. 139.65(1), Wis. Stats.
- (8) **School** has the meaning given in Sec. 118.257(1)(c), Wis. Stats.
- (9) **Subjobber** has the meaning given in Sec. 139.75(11), Wis. Stats.
- (10) **Tobacco products** has the meaning given in Sec. 139.75(12), Wis. Stats.

(b) **Prohibitions.** Except as provided in Subsection (c) below, no person under the age of eighteen (18) may do any of the following:

- (1) Buy or attempt to buy any cigarette or tobacco product.
- (2) Falsely represent his/her age for the purpose of receiving any cigarette or tobacco product.
- (3) Possess any cigarette or tobacco product.

(c) **Employment Resale Exception.** A person under eighteen (18) years of age may purchase or possess cigarettes or tobacco products for the sole purpose of

- resale in the course of employment during his/her normal working hours if employed by a retailer licensed under Sec. 134.65(1), Wis. Stats.
- (d) **Seizure of Tobacco Products.** A law enforcement officer shall seize any cigarette or tobacco product involved in any violation of Subsection (b) above committed in his/her presence.
- (e) **Penalty.** A violation of this Chapter shall be punishable by forfeiture as prescribed by Section 1-1-6.
- (f) **Enforcement.** Pursuant to Sec. 48.09(4), Wis. Stats., the Bayfield County District Attorney is hereby designated as the person who is to enforce this Chapter.