

**State Laws Prohibiting Self-service Display* of Cigarettes and Other Tobacco Products
(enacted as of June 30, 2005)**

State	Bill Number	Qtr	Year	Exemptions
Alaska	H.B. 189, c. 135	2	1998	This law does not apply if the sale is: (1) by vending machine, or (2) by a retailer who primarily sells tobacco products and who restricts access to individuals who are at least 19 years old.
California	S.B. 757, c. 376	3	2001	This law does not apply to sales by vending machine.
Delaware	S.B. 63, c. 472	3	2000	The provisions do not apply in a tobacco store or an establishment where persons under age 18 are not admitted without an adult.
Idaho	S.B. 1446, c. 418	1	1998	Stores where tobacco products comprise at least 75 percent of the total merchandise are exempt from the law, provided that: (1) minors are not allowed in the store, and (2) the prohibition on minors entering is posted clearly on all entrances
Illinois	H.B. 4302, P.A. 93-886	3	2004	This law does not apply to a retail tobacco store that: (1) derives at least 90 percent of revenue from tobacco and tobacco related products; (2) does not permit persons under 18 years of age to enter unless accompanied by a parent or guardian; and (3) posts a sign stating that persons under 18 years of age are prohibited from entering unless accompanied by a parent or guardian.
Iowa	H.F. 2120, c. 1129	2	1998	Prohibition only applies to the sale of cigarettes or tobacco products in quantities less than a carton.
Maine	H.P. 1123, LD 1582, c. 314	2	1999	This law does not apply to the display of tobacco products in: (1) multi-unit packages of 10 or more; (2) tobacco specialty stores; or (3) locations in which minors are generally prohibited.
Minnesota	H.F. 117, c. 227	2	1997	Retail stores that derive at least 90 percent of their revenue from tobacco products and that are inaccessible to minors are exempt from the self-service provisions.
Missouri	H.B. 381	3	2001	The law applies to individual packs of cigarettes or smokeless tobacco products.
New Mexico	H.B. 136, c. 364	2	2003	This law does not apply to sales by vending machine.
New York	S.B. 4545, c. 568	4	2001	Prohibition does not apply to tobacco businesses where tobacco sales are the primary business or in places where access is prohibited to persons under age 18.
Oklahoma	S.B. 1256, c. 253	2	2004	This prohibition does not apply to retail stores that do not admit minors.
Oregon	H.B. 2368, c. 804 ¹	4	2003	The provisions do not apply to stores or other establishments where persons under the age of 18 are prohibited.

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	S.B. 55, c. 671	2	1997	The provisions do not apply to facilities or businesses that do not permit access by minors or are designed to store cigars in a climate-controlled environment.
Texas	S.B. 451, c. 567	2	1999	The prohibition against self-service sales does not apply to a premises for which a person holds a package store permit issued under the state's alcoholic beverage code.
Utah	H.B. 31, c. 412 ²	1	1998	This law permits the sale of cigarettes and smokeless tobacco products through self-service displays which are located in separate and defined areas within facilities where the retailer ensures that no person under the age of 19 is allowed, unless accompanied by a parent or legal guardian. Sales of standard 60-carton cases of cigarettes and multi-container packages of smokeless tobacco and mail-order sales are exempt from the sales restrictions.
Vermont	S.B. 156, c. 58	2	1997	This law exempts: (1) contracts in existence prior to 3-31-97, (2) a display of tobacco products located in a commercial establishment which by law is inaccessible to minors, (3) cigarettes in unopened cartons and smokeless tobacco in unopened multi-pack containers of 10 or more packages, any of which must be displayed in plain view and under the control of a responsible employee; or (4) cigars and pipe tobacco stored in a humidor on the sales counter in plain view and under the control of a responsible employee.
Total Number of States: 15				

1 This law becomes effective on 1-1-05.

2 This law restricts the sale of cigarettes and smokeless tobacco to a direct, face-to-face exchange between the retailer and the consumer.

*The State Cancer Legislative Database (SCLD) Program defines "self-service display" as: an in-store arrangement of cigarettes or other tobacco products to which patrons do not have direct access; and as a prohibition on allowing access to or the purchase of tobacco products without a direct, face-to-face exchange between the retailer and the purchaser. Although Florida, Illinois, Pennsylvania, and Wyoming have enacted laws (H.B. 845, c. 162 (1997), H.B. 4302, P.A. 93-886 (2004), H.B. 1501, Act 112 (2002), and S.F. 42, c. 93, (2000), respectively) requiring that retailers maintain tobacco products within the line of sight or under the control of an employee, they do not meet the SCLD definition of self-service display.