



Relative and Applicable Statutes and Rules:

RSA 126-K:2;126-K:4;126-K:4-a;

126-K:5;126-K:6;178:20-a

Law Changes Relative to Youth Access to Tobacco

1. Purpose

Effective July 30, 2020 the age for the sale, distribution or possession of tobacco products has been changed to 21 years of age.

2. Discussion

126-K:2 Definition (changes):

“Minor” means a person under the age of *21*.

“Tobacco Products” means any product containing *or derived from* tobacco including, but not limited to, cigarettes, smoking tobacco, cigars, chewing tobacco, snuff, pipe tobacco, smokeless tobacco, and smokeless cigarettes. *“Tobacco product” shall not include drugs, devices, or combination products authorized for sale by the United States Food and Drug Administration, as those terms are defined in the federal Food, Drug, and Cosmetic Act.*

126-K:4 Sale and Distribution of Tobacco Products, E-cigarettes, or E-Liquid to Persons Who Have Not Attained 21 Years of Age Prohibited (changes).

No person shall sell, give, or furnish or cause or allow or procure to be sold, given, or furnished tobacco products, e-cigarettes, or e-liquid to a person who has not attained *21* years of age. The prohibition established by this paragraph shall not be deemed to prohibit persons who have not attained *21* years of age employed by any manufacturer, wholesaler, sub-jobber, vending machine operator, sampler, or retailer from performing the necessary handling of tobacco products, e-cigarettes, or *e-liquid* during the duration of their employment.

126-K:4-a Access to and Use of Tobacco Products; Rolling Papers (changes).

No person under *21* years of age shall purchase, possess, or use any rolling paper.

126-K:5 Use of Tobacco Products; Distribution of Free Samples (changes)

No person may distribute or offer to distribute samples of tobacco products, e-cigarettes, or *e-liquid* in a public place or to a person who has not attained *21* years of age. This prohibition shall not apply to sampling:

(a) In an area to which minors are denied access.



- (b) In a store to which a retailer's license has been issued.
- (c) At factory sites, construction sites, conventions, trade shows, fairs, or motorsport facilities in areas to which minors are denied access.

126-K:6 Possession and Use of Tobacco Products, E-cigarettes, or E-Liquid by Persons Who Have Not Attained 21 Years of Age (changes).

No person under **21** years of age shall purchase, attempt to purchase, possess, or use any tobacco product, e-cigarette, device, or e-liquid except *individuals who have* been issued a registry identification card under RSA 126-X:4 may *purchase*, possess *and use* e-liquids containing cannabis and applicable devices *as allowed under RSA 126-X*.

178:20-a Cigar Bars

Does not allow any person under the age of **21** on the premises unless accompanied by a parent, legal guardian, or adult spouse.

The complete language changes can be found at the following link:

[HB 1245 Increasing the Age for Tobacco to 21](#)



Information regarding “Indoor Smoking Act”

The Indoor Smoking Act clarifies that all tobacco products are prohibited in enclosed workplaces and enclosed places accessible to the public. Specific businesses that might be impacted by the change include restaurants, bars, and vape shops.

[7 1.2020 new hampshire indoor smoking act amended to restrict vaping in public spaces](#)



3. Questions

Please contact the New Hampshire Liquor Commission- Division of Enforcement & Licensing at 603-271-3521.