

SENATE BILL NO. 463

June 26, 2025, Introduced by Senators WOJNO, SINGH, CAVANAGH, CHERRY, CHANG, BELLINO, POLEHANKI and BAYER and referred to Committee on Regulatory Affairs.

A bill to amend 1915 PA 31, entitled
"Youth tobacco act,"
by amending section 2 (MCL 722.642), as amended by 2019 PA 18.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2. (1) Subject to ~~subsection~~**subsections** (6) **and (7)**, a
2 minor shall not do any of the following:
- 3 (a) Purchase or attempt to purchase a tobacco product.
4 (b) Possess or attempt to possess a tobacco product.
5 (c) Use a tobacco product in a public place.

1 (d) Present or offer to an individual a purported proof of age
2 that is false, fraudulent, or not actually ~~his or her~~ **the minor's**
3 own proof of age for the purpose of purchasing, attempting to
4 purchase, possessing, or attempting to possess a tobacco product.

5 (2) An individual who violates subsection (1) is guilty of a
6 misdemeanor punishable by a fine of not more than \$50.00 for each
7 violation. Pursuant to a probation order, the court may also
8 require ~~an-the~~ individual ~~who violates subsection (1)~~ to
9 participate in a health promotion and risk reduction assessment
10 program, if available. In addition, ~~an-the~~ individual ~~who violates~~
11 ~~subsection (1)~~ is subject to the following:

12 (a) For ~~the-a~~ first violation, the court may order the
13 individual to do 1 of the following:

14 (i) Perform not more than 16 hours of community service.

15 (ii) Participate in a health promotion and risk reduction
16 assessment program.

17 (b) For a second violation, in addition to participation in a
18 health promotion and risk reduction assessment program, the court
19 may order the individual to perform not more than 32 hours of
20 community service.

21 (c) For a third or subsequent violation, in addition to
22 participation in a health promotion and risk reduction assessment
23 program, the court may order the individual to perform not more
24 than 48 hours of community service.

25 (3) Subject to ~~subsection~~ **subsections** (6) **and (7)**, a minor
26 shall not do any of the following:

27 (a) Purchase or attempt to purchase a vapor product or
28 alternative nicotine product.

29 (b) Possess or attempt to possess a vapor product or

1 alternative nicotine product.

2 (c) Use a vapor product or alternative nicotine product in a
3 public place.

4 (d) Present or offer to an individual a purported proof of age
5 that is false, fraudulent, or not actually ~~his or her~~ **the minor's**
6 own proof of age for the purpose of purchasing, attempting to
7 purchase, possessing, or attempting to possess a vapor product or
8 alternative nicotine product.

9 (4) An individual who violates subsection (3) is responsible
10 for a state civil infraction or guilty of a misdemeanor as follows:

11 (a) For ~~the a~~ first violation, the individual is responsible
12 for a state civil infraction and ~~shall~~ **must** be fined not more than
13 \$50.00. The court may order the individual to participate in a
14 health promotion and risk reduction assessment program, if
15 available. In addition, the court may order the individual to
16 perform not more than 16 hours of community service.

17 (b) For ~~the a~~ second violation, the individual is responsible
18 for a state civil infraction and ~~shall~~ **must** be fined not more than
19 \$50.00. The court may order the individual to participate in a
20 health promotion and risk reduction assessment program, if
21 available. In addition, the court may order the individual to
22 perform not more than 32 hours of community service.

23 (c) If a violation of subsection (3) occurs after 2 or more
24 prior judgments, the individual is guilty of a misdemeanor
25 punishable by a fine of not more than \$50.00 for each violation.
26 Pursuant to a probation order, the court may also require the
27 individual to participate in a health promotion and risk reduction
28 assessment program, if available. In addition, the court may order
29 the individual to perform not more than 48 hours of community

1 service.

2 (5) An individual who is ordered to participate in a health
3 promotion and risk reduction assessment program under subsection
4 (2) or (4) is responsible for the costs of participating in the
5 program.

6 (6) Subsections (1) and (3) do not apply to a minor
7 participating in any of the following:

8 (a) An undercover operation in which the minor purchases or
9 receives a tobacco product, vapor product, or alternative nicotine
10 product under the direction of the minor's employer and with the
11 prior approval of the local prosecutor's office as part of an
12 employer-sponsored internal enforcement action.

13 (b) An undercover operation in which the minor purchases or
14 receives a tobacco product, vapor product, or alternative nicotine
15 product under the direction of the state police or a local police
16 agency as part of an enforcement action, unless the initial or
17 contemporaneous purchase or receipt of the tobacco product, vapor
18 product, or alternative nicotine product by the minor was not under
19 the direction of the state police or the local police agency and
20 was not part of the undercover operation.

21 (c) Compliance checks in which the minor attempts to purchase
22 tobacco products for the purpose of satisfying federal substance
23 abuse block grant youth tobacco access requirements, if the
24 compliance checks are conducted under the direction of a substance
25 use disorder coordinating agency and with the prior approval of the
26 state police or a local police agency.

27 (7) Subsections (1) and (3) do not apply to the handling or
28 transportation of a tobacco product, vapor product, or alternative
29 nicotine product by a minor under the terms of the minor's

1 employment.

2 (8) This section does not prohibit an individual from being
3 charged with, convicted of, or sentenced for any other violation of
4 law that arises out of ~~the~~a violation of subsection (1) or (3).

5 **(9) Subsections (1) to (8) do not apply after the effective**
6 **date of the amendatory act that added this subsection.**

7 Enacting section 1. This amendatory act does not take effect
8 unless all of the following bills of the 103rd Legislature are
9 enacted into law:

10 (a) Senate Bill No. ____ (request no. S01093'25) or House Bill
11 No. ____ (request no. H01093'25).

12 (b) Senate Bill No. 466.

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14 (c) Senate Bill No. 464.

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16 (d) Senate Bill No. 465.