

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 607

H.P. 426

House of Representatives, February 21, 2013

**An Act To Make an Employee Who Sells Alcoholic Beverages or
Tobacco to a Minor Responsible for Paying the Fine**

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative AYOTTE of Caswell.
Cosponsored by Senator THIBODEAU of Waldo and
Representative: CAMPBELL of Orrington, Senator: SHERMAN of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1555-B, sub-§2**, as enacted by PL 1997, c. 305, §5, is
3 amended to read:

4 **2. Sales to minors prohibited.** A person may not sell, furnish, give away or offer to
5 sell, furnish or give away a tobacco product to any person under 18 years of age.
6 Tobacco products may not be sold at retail to any person under 27 years of age unless the
7 seller first verifies that person's age by means of reliable photographic identification
8 containing the person's date of birth. An employer of a person who violates this
9 subsection is not in violation of this subsection if the person violates this subsection
10 without the knowledge of the person's employer.

11 **Sec. 2. 28-A MRSA §705, sub-§6** is enacted to read:

12 **6. Persons responsible.** If an employee of a licensee violates subsection 2,
13 paragraph E or subsection 3, paragraph E without the knowledge of the licensee, the
14 licensee is not liable for the violation.

15 **SUMMARY**

16 This bill amends the laws concerning sales of tobacco and alcohol to minors by
17 removing the liability of an employer who did not have knowledge of an employee's
18 violation.