

PLACER COUNTY PEER COURT



Diversion and Prevention through Accountability and Education

Tobacco/Paraphernalia Laws

Penal Code Section 308:

- a) Every person, firm, or corporation which knowingly sells, gives, or in any way furnishes to another person who is under the age of 18, any tobacco, cigarette or cigarette papers, or any other preparation of tobacco, or any other instrument or paraphernalia that is designed for the smoking or ingestion of tobacco, products prepared from tobacco, or any controlled substance, is subject to either a criminal action for a misdemeanor or to a civil action brought by a city attorney, a county counsel, or a district attorney, punishable by a fine of two hundred dollars (\$200) for the first offense, five hundred (\$500) for the second offense, and one thousand (\$1000) for the third offense.
- b) Every person under the age of 18 years who purchases, receives, or possesses any tobacco, cigarette, or cigarette papers, or any other preparation of tobacco, or any other instrument or paraphernalia that is designed for the smoking or ingestions of tobacco, products prepared from tobacco, or any controlled substance shall upon conviction, be punished by a fine of seventy-five dollars (\$75) or 30 hours of community service work.
- c) Every person, firm, or corporation which sells, or deals in tobacco or any preparation thereof, shall post conspicuously and keep so posted in his, her or their place of business *** at each point of purchase the notice required pursuant to subdivision (b) of Section 22952 of the Business and Professional Code, and any *** person failing to do shall upon conviction be punished by a fine of ten dollars (\$10) for the first offense and fifty dollars (\$50) for each succeeding violation of this provision, or by imprisonment for not more than 30 days.

Paraphernalia per Placer County District Attorney's Office Include:

Cigarette lighters, matches, pipes, bongs, roach clips, cigarette packs, or containers used to hold cigarettes or controlled substances such as Marijuana.