

# Focus on New Laws: Tobacco Sales Age Raised to 21

July 20, 2020

**Cities should review their tobacco licensing ordinance and amend it as needed to ensure consistency with the state law.**

A new state law ([Chapter 88](#)) reinforces a federal law enacted last December raising the minimum tobacco sales age from 18 to 21. In addition, the law provides several changes in penalties related to the sale of tobacco products to people under 21 and the process by which a city enforces tobacco licensing requirements.

The new state law is effective Aug. 1, 2020.

## Provisions of the new law

Key provisions of the law will:

- Raise the minimum sales age to 21.
- Increase penalties for establishments that sell tobacco to those under 21.
- Remove penalties for the underage possession, purchase, and use of tobacco products.
- Require compliance check decoys to be between 17 and 20 years old.

Cities that license tobacco retailers must comply with the new law and adjust their enforcement practices accordingly.

## Model ordinance available

Cities should review their tobacco licensing ordinance and amend it as needed to ensure consistency with the state law. The Public Health Law Center at Mitchell Hamline School of Law has revised its model ordinance to comply with the new law. Cities can use this model ordinance as a starting point to review their existing tobacco sales ordinance.

[—Download the model ordinance \(pdf\).](#)