

Age Verification Requirement for Tobacco Sales

By: James Orlando, Chief Attorney
October 24, 2022 | 2022-R-0243

Issue

Summarize requirements for cigarette or tobacco retailers in Connecticut to verify the age of product purchasers.

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Summary

As of July 1, 2022, a new law requires cigarette or tobacco product sellers, their agents, or employees (hereinafter, “tobacco sellers”) to request that each person intending to purchase these products (regardless of apparent age) present a driver’s license or identity card to verify that they are at least 21 years old ([PA 22-118](#), § 198). Previously, they had to ask only those prospective buyers who appeared to be under age 30 to show proper proof of age (see [CGS § 53-344a](#)).

The law allows tobacco sellers to perform a transaction scan to check the validity of a driver’s license or non-driver identity card presented by someone attempting to buy cigarettes or tobacco products. They must not complete the sale if the (1) information from the scan does not match what is printed on the license or card or (2) scan indicated that the printed information is false or fraudulent. Under specified conditions, the law provides an affirmative defense for someone prosecuted for selling cigarettes or tobacco products to an underage individual if the seller reasonably relied on the transaction scan ([CGS § 53-344](#), as amended by [PA 22-118](#), § 198).

The law prohibits tobacco sellers from electronically or mechanically recording or maintaining any information derived from the transaction scan, except for (1) the person's name and date of birth and (2) the license or card expiration date and identification number. The law prohibits them from using a transaction scan device for any purpose other than verifying a purchaser's age for cigarettes or tobacco products (or for e-cigarettes or alcohol). They also must not sell or otherwise provide the information derived from the scan to any third party, such as for marketing, advertising, or promotional activities. But they may release the information pursuant to a court order ([CGS § 53-344](#), as amended by [PA 22-118](#), § 198).

Penalties for Sales to Underage Individuals

[PA 19-13](#) raised the age, from 18 to 21, to purchase cigarettes, tobacco products, or e-cigarettes and vapor products. Fines and civil penalties apply to sales to underage individuals, with the specific penalties increasing for subsequent offenses within a 24-month period. For details, see OLR's [Public Act Summary](#) (pp. 2 to 4).

Separate laws apply to e-cigarettes (i.e., electronic nicotine delivery systems and vapor products). E-cigarette sellers are required to ask for proof of age only for those buyers who appear to be under age 30. As with tobacco sellers, they cannot complete a sale if a transaction scan shows a mismatch or fraudulent information, and there is an affirmative defense if they rely on such a scan. They are subject to the same limitations as tobacco sellers on (1) recording, maintaining, and using transaction scan data and (2) sharing it with third parties ([CGS § 53-344b](#)).

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