

Utah lawmaker revives proposal to raise smoking age

By KELLY CATALFAMO Associated Press

A Utah lawmaker has revived a proposal to raise the age for legal tobacco purchases to 21 after the move failed in the state Senate last year.

Rep. Kraig Powell, R-Heber City, co-sponsored last year's bill with now-retired state Sen. Stuart Reid.

Powell said he has spoken to several older smokers who wished someone had intervened before they picked up the habit. The lawmaker also expressed concern about the societal cost of medical bills for a long-term smoker.

"We ought to view tobacco use as seriously as we view alcohol," Powell said.

Rep. Kraig Powell, R-Heber City, talks on the phone on the house floor at the Utah State Capitol Tuesday, Feb. 3, 2015, in Salt Lake City. Powell has revived a proposal to raise the age for legal tobacco purchases to 21 despite the bill's failure in the Senate last year. | Rick Bowmer AP Photo

Some municipalities in the state have raised the smoking age to 21, but Utah remains one of only four states with a smoking age of 19. Others have set the age at 18.

Last year, opponents argued that 21 was an arbitrary age, and the change would infringe upon the rights of legal adults.

Senate President Wayne Niederhauser, R-Sandy, said Tuesday that raising the smoking age sounded like something he would support. If Powell's bill makes it to the Senate this year, "it's probably one we would address," Niederhauser said.

Logan Republican Lyle Hillyard said concerns about young, out-of-state members of the military was a sticking point on the bill last year. Raising Utah's smoking age to 21 might mean soldiers relocated to Utah would not legally be allowed to buy cigarettes here even if they'd previously done so in their home state, he said.

Powell said he received several emails from citizens arguing that anyone old enough to serve their country should be able to choose to smoke.

On Monday, he defended the age of 21, citing research from the Tobacco Control Legal Consortium that suggests that age would have the most impact on reducing tobacco usage as well as underage access to tobacco products. The proposal would apply to not only cigarettes, but all tobacco products as well as e-cigarettes.

"I understand there's a liberty issue here," Powell said, but "I think it's important to draw this line."

Powell is also at work trying to make sure the current age limit is thoroughly enforced.

He is also introducing another tobacco bill this year that would prohibit individuals under 19 years old from entering



tobacco shops unless accompanied by a parent or guardian. The restriction will only apply to specialty tobacco shops, which the bill defines as those that receive more than 80 percent of their revenues from tobacco products.

Powell said that the proposal is simply a clarification of the language already present in tobacco shop regulations. The current statute, he said, contains "some really tortured wording," and some law enforcement officers and prosecutors in his district told him they were not exactly sure how to interpret the bill.

A House committee considered the issue Tuesday afternoon, but delayed action to give Powell a chance to make some changes.

Committee members appeared to support Powell's attempt to clarify the regulations. But Rep. Earl D. Tanner, a West Jordan Republican, raised concern that the new version unintentionally omitted cigars and smokeless tobacco products from the regulations.

Tanner said he was "100 percent on board" with the clarification, but added that "this bill has, I think, a few holes in it that need to be repaired."

Powell said he will get to work making sure the regulations apply to all forms of tobacco in addition to e-cigarettes.

Online: HB 131: <http://1.usa.gov/1F2yDZi>

Online: HB 130: <http://1.usa.gov/1EDHrYj>