

Santa Clara Co. Supervisors Pass Ordinance Raising Legal Tobacco Purchasing Age

By Bay City
News

Starting next year, anyone buying tobacco products and electronic smoking devices in unincorporated Santa Clara County must be at least 21 years old. Robert Handa reports. (Published Tuesday, Jun 9, 2015)

Starting next year, anyone buying tobacco products and electronic smoking devices in unincorporated Santa Clara County must be at least 21 years old.

The Santa Clara County Board of Supervisors unanimously passed an ordinance Tuesday that will raise the age to purchase tobacco products from 18 to 21.

The ordinance goes into effect on Jan. 1., 2016 and does not apply to incorporated cities within the county.

Supervisor Ken Yeager introduced the ordinance during the board's May 19 meeting and said he hopes cities within the county will pass similar legislation.

Supervisor Joe Simitian asked during last month's meeting if there were preemption issues to the ordinance.

County Counsel Orry Korb said that his staff looked at the state law regarding preemption and said that the county would "likely prevail" in any challenges to the ordinance.

"Tobacco is still the number one cause of preventable death," county Public Health Officer Sara Cody said.

Cody cited an Institute of Medicine study released in March that showed raising the legal purchasing age for tobacco products would decrease the smoking rate by 12 percent and smoking-related deaths by 10 percent.

Businesses will be required to post signs provided through the county stating the minimum age to buy tobacco is 21 and that anyone who violates the ordinance will be fined.

Retailers must also ask for identification from the buyer before selling a tobacco product.

The county is the first statewide to pass such an ordinance.

"In our county we have been a national leader in protecting the health of our residents, particularly our children and youth, from the harms of tobacco," Cody said.

Last year, the county passed a law prohibiting the sales of flavored tobacco in unincorporated areas and amended its no-smoking policy to include restrictions on using and selling e-cigarettes.

Published at 3:36 PM PDT on Jun 9, 2015

Copyright Bay City News

