

M.I.P. – Tobacco Law

Minor in Possession of Tobacco (MIP)

A person under 18 years of age, who possesses, purchases, consumes, or accepts a cigarette or tobacco product may be cited for Minor in Possession of Tobacco.

Health & Safety Code §161.252

Possession, Purchase, Consumption, or Receipt of Cigarettes or Tobacco Products by Minors Prohibited

Provisions of the Law

An individual who is younger than 18 years of age commits an offense if the individual:

- Purchases, consumes, or accepts a cigarette or tobacco product.
- Possesses a cigarette or tobacco product except in the presence of a parent, a guardian, or an adult spouse of the individual.
- Falsely represents himself or herself to be 18 years of age or older by displaying proof of age that is false in order to obtain a cigarette or a tobacco product.

Penalties for MIP-Tobacco

- An offense under this section is a Class C misdemeanor and is punishable by a fine not to exceed \$250.
- In addition to the fine of up to \$250, a minor shall also be required to attend an 8 hour tobacco awareness class (and parents may be required to attend), and may be required to perform 8-12 hours of tobacco-related community service, and/or incur a six-month delay or loss of drivers license based on the court's decision.