

**Appendix J: Tobacco Enforcement Talking Points Shared with Virginia
Association of Chiefs of Police and Virginia Sheriffs' Association**

Retail Tobacco Products License

Soliciting Local Law Enforcement Participation in Curtailing Sales of Tobacco Products to Individuals Under the Age of 21

- **Background:** Virginia Tax is conducting a legislative study ([SB 1060](#)) on regulating retail tobacco products, with a focus on preventing sales of tobacco products to individuals under 21. There is currently no retail license requirement for the sale of tobacco products in the Commonwealth. This study includes representatives from ABC, the Attorney General's Office, DBHDS, Virginia State Police, and industry representatives.
- **Purpose:** We are exploring the creation of a broad retail tobacco products license that mirrors the current structure for ABC permits under Chapter 4.1 of the Virginia Code. This would allow for identification of the retail locations that would require enforcement checks. ABC estimates that it will need an additional 20 Special Agents in order to effectively enforce the program.
- **Local Law Enforcement Role:** The workgroup views local law enforcement as critical to the success of this program. We are soliciting interest from local law enforcement officers in whether there are officers interested in working overtime to conduct compliance checks targeting illegal tobacco sales to minors.
- **Legal Framework:** Compliance checks could be conducted under Va. Code §§ 18.2-371.2 and 59.1-293.12. Civil penalties of up to \$500 per violation may be recovered by local attorneys and paid into local treasuries. Additional legislative changes are also being explored.
- **Funding:** While the current law provides for civil penalties, we are also exploring additional funding sources to cover local law enforcement overtime costs including Budget Appropriations and interagency transfers.
- **Request:** Seeking assistance from the Virginia Association of Chiefs of Police and the Virginia Sheriffs' Association in polling their members to determine interest in participating in this enforcement initiative.
- **Next Steps:** Contact Anna Mucha (Anna.Mucha@tax.virginia.gov) or Joe Mayer (Joseph.Mayer@tax.virginia.gov) at Virginia Tax for further information.