RCW 26.28.080 Selling or giving tobacco to minor—Belief of representative capacity, no defense—Penalty. (1) A person who sells or gives, or permits to be sold or given, to any person under the age of 21 years any cigar, cigarette, cigarette paper or wrapper, tobacco in any form, alternative nicotine product, or a vapor product is guilty of a gross misdemeanor.

(2) It is not a defense to a prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another.

(3) For the purposes of this section, the following definitions apply:

(a) "Alternative nicotine product" has the same meaning as provided in RCW 70.155.010.

(b) "Vapor product" has the same meaning as provided in RCW 70.345.010. [2026 c 250 s 24; 2019 c 15 s 1; 2016 sp.s. c 38 s 1; 2013 c 47 s 1; 1994 sp.s. c 7 s 437. Prior: 1987 c 250 s 2; 1987 c 204 s 1; 1971 ex.s. c 292 s 37; 1919 c 17 s 1; 1911 c 133 s 1; 1909 ex.s. c 27 s 1; 1909 c 249 s 193; 1901 c 122 s 1; 1895 c 126 ss 1, 3 and 4; RRS s 2445. Formerly RCW 26.08.080, 26.08.090, and 26.08.100.]

Effective date—2019 c 15: "This act takes effect January 1, 2020." [2019 c 15 s 12.]

Finding—Intent—Severability—1994 sp.s. c 7: See notes following RCW 43.70.540.

Effective date—1994 sp.s. c 7 ss 401-410, 413-416, 418-437, and 439-460: See note following RCW 9.41.010.

Severability—1971 ex.s. c 292: See note following RCW 26.28.010.

Juvenile courts and juvenile offenders: Title 13 RCW.

Minors, access to tobacco, role of liquor and cannabis board: Chapter 70.155 RCW.

Raising the minimum legal age of sale in certain compacts, consultations with federally recognized Indian tribes: RCW 43.06.468.