



## Questions & Answers

- When does the Tobacco 21 Ordinance go into effect? [October 1, 2018.](#)
- Where does the City of San Antonio Tobacco 21 Ordinance go into effect? [It goes into effect within the boundaries of the City of San Antonio.](#)
- How do I know if my store is within the City of San Antonio (the City) boundaries? [Email us at samhd@sanantonio.gov with your store address and we will let you know.](mailto:samhd@sanantonio.gov)
- What does the City's Tobacco 21 Ordinance cover? [The City's Tobacco 21 Ordinance covers all Tobacco Products meeting the following description: any product that is made from or derived from tobacco, and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, snus, hookahs or an electronic smoking device or liquids used in electronic smoking devices.](#)
  - [The City's Tobacco 21 Ordinance does not include drugs, devices or combination products authorized for sale as tobacco cessation aids by the U.S. Food and Drug Administration, such as nicotine patches.](#)
- Are synthetic tobacco products, tobacco free liquids, and CBD Oils (Cannaboid oils) included in the City's Tobacco 21 Ordinance? [Yes. \(The City's Tobacco 21 Ordinance follows state law; Health and Safety Code, Chapter 161.081\).](#)
- Within the City, can e-cigarette replacement parts be sold to those under 21 years of age? [No. \(Tobacco 21 ordinance follows state law; Health and Safety Code, Chapter 161.081\).](#)
- Does the City's Tobacco 21 Ordinance apply to the sale of rolling paper for hand-rolled cigarettes to those under the age of 21? [No - unless the rolling paper is made of tobacco.](#)
- If my store sells tobacco products, what do I need to do to be in compliance? [Starting on October 1, 2018, tobacco retailers within the City will need to:](#)
  - [Verify that customers who ask for cigarettes, other tobacco products or electronic cigarettes are at least 21 years old. If a customer looks to be under 27 years old, retailers must ask for proof of age. Any of these documents constitute proof of age;](#)
    - [A valid photo driver's license or non-driver ID card issued by a state or other U.S. government agency.](#)
    - [A valid passport](#)
    - [A photo ID issued by the armed forces of the United States.](#)
  - [ID cards issued by employers, schools, or colleges are \*\*NOT\*\* acceptable forms of ID.](#)
  - [Post Tobacco 21 signage in a location that is conspicuous \(visible\) to all employees and customers and that is close to the place at which the cigarettes, e-cigarettes, or tobacco products may be purchased.](#)
  - [Ensure employees are educated on the City's Tobacco 21 Ordinance.](#)

- Ensure employees have signed the City's Tobacco 21 Employee Notification-Acknowledgement Form and these forms are kept accessible for inspection.
- Can my store remove the Texas Tobacco Law sign? **No.** The state's signs must still be displayed. Texas Tobacco Law still applies – No sale to minors under 18 years of age. Individuals under the age of 18 who purchase, use or are in possession of a tobacco product can be fined up to \$250.
- Where can I find the City's signage and the City's Tobacco 21 Employee Notification-Acknowledgement Form? **Metro Health will provide these Tobacco 21 materials to tobacco retailers in the City before October 1, 2018. The materials will also be posted on [www.sanantonio.gov/tobacco21](http://www.sanantonio.gov/tobacco21).**
- What are the City's fines for selling or distributing tobacco products to someone who is under 21 within the City? **The sale or distribution of tobacco products to someone who is under 21 within the City of San Antonio is a Class C misdemeanor, and upon conviction, can result in a fine up to \$500.**
- Will there be a fine within the City for someone who is 18, 19 or 20 years old who purchases, uses or is found in possession of a tobacco product? **No.**
- Does the City's Tobacco 21 Ordinance apply to cigarette/tobacco vending machines? **Yes. Cigarette vending machines within the City may not be situated in a premise or workplace where persons under 21 are allowed entry and / or are employed.**
- Within the City, regarding hookahs, if the person who purchases the hookah set up at the business is 21 years of age or older, can people under 21 share the hookah set up with that individual? **No.**
- Does the City's Tobacco 21 Ordinance regulate online sales and delivery? **No.**
- Can Vape shops within the City work on or repair an e-cigarette unit for an 18, 19 or 20 year old who purchased it legally before October 1, 2018? **Yes, a repair is allowed, however, giving the device back to someone who is under 21 is not allowed under the City's Tobacco 21 Ordinance.**
- Vape shops allow sampling without purchases. Would someone under 21 years of age be allowed to sample within the City? **No.**
- Can clerks at stores within the City knowingly sell to someone who will be providing the product to someone under the age of 21? **No.**