

CHAPTER 145.

Senate Bill No. 12.

Compiled Laws, 1917, p. 1547, 1624-5.

(Passed February, 24, 1921. Approved March 8, 1921. In effect June 7, 1921.)

**CIGARETTES, ETC., FORBIDDEN. TOBACCO SMOKING
UNLAWFUL, WHERE.**

An Act making it unlawful: to sell cigarettes and cigarette papers; to advertise cigarettes and cigarette papers; to permits minors to smoke in certain places of business; for any person to smoke in certain enclosed public places.

Be it enacted by the Legislature of the State of Utah:

SECTION 1. Cigarette and cigarette papers, sale, etc., unlawful—search and seizure. It shall be a misdemeanor for any person, company, or corporation to barter, sell, keep for sale, furnish or give away, any cigarettes or cigarette papers, or any disguise or subterfuge of either of these, or to have any cigarettes or cigarette papers in or about any store or other place for barter, sale or free distribution. If, upon what seems to be reasonable evidence any person, company or corporation is suspected of having in his or its possession any cigarettes or cigarette papers intended to be offered for barter, sale or free distribution; then, upon the sworn complaint of any citizen of the state of Utah, specifying fully as to the alleged facts of the case, any officer authorized to make arrests may, upon the issuance of a search warrant or search warrants in the manner and form prescribed in Chapter 56, Title 120 of the Compiled Laws of Utah, 1917, code of criminal procedure (Secs. 9368-9389), search the premises of such person, company or corporation and may seize any cigarettes or cigarette papers so found. All such cigarettes or cigarette papers seized under the provisions of this Act shall be ordered destroyed by the judge of the court in which final conviction is had. The possession of such cigarette materials shall be considered prima facie evidence of a direct violation of this Act.

Sec. 2. Advertisement, sign, etc., unlawful. It shall be a misdemeanor for any person, company or corporation to write, print, publish or circulate in any newspaper, magazine, periodical or circular written, printed or published within the state of Utah, any advertisement of cigarettes or cigarette papers, or any disguise or subterfuge of either of these. It shall also be unlawful for any person, company or corporation to post, exhibit or publish on any street-sign, placard or billboard; or in or on any package of merchandise, store-window, showcase, or any other place within the state of Utah, any advertisement for cigarettes or cigarette papers, or any disguise or subterfuge of either of these.

Sec. 3. Use of tobacco, etc., by minors unlawful. It shall be a misdemeanor for the proprietor of any place of business to knowingly permit minors under twenty-one years of age to frequent such place of business while in the act of using tobacco in any form. The term "place of business" as here used shall apply to any and all such places as shops, stores, factories, public garages, offices, theatres, recreation and dance halls, pool rooms, cafes, cafeterias, cabarets, restaurants, hotels, lodging houses, street cars, inter-urban and railway passenger coaches and waiting rooms.

Sec. 4. Tobacco smoking forbidden, where. It shall be a misdemeanor for any person to smoke cigars, cigarettes or tobacco in any enclosed public place within the state of Utah, except in extra rooms, compartments or coaches specially provided for smoking purposes. The term "enclosed public place" as here used shall be construed to mean the dining rooms in hotels, restaurants, cafes and cafeterias; theatres, passenger elevators, street cars, inter-urban and railway passenger coaches, motor and other passenger vehicles employed as common carriers, railway station waiting rooms, barber shops; state, county and city buildings.

Sec. 5. "Unconstitutional" reservation. If any section, subsection, clause, phrase or word of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act.

Sec. 6. This Act shall take effect and be in force ninety days from the date of its passage.

Approved March 8, 1921.

CHAPTER 146.

House Bill No. 114.

Compiled Laws, 1917, p. 1549.

(Passed March 4, 1921. Approved March 10, 1921. In effect March 10, 1921.)

FALSE IMPERSONATION.

An Act providing for the punishment of persons falsely personating another.

Be it enacted by the Legislature of the State of Utah:

SECTION 1. False impersonation—penalty. Every person who falsely personates a public officer, civilian or military, or a policeman, or other peace officer of any character whatsoever, or who falsely personates a