



STATE OF NEBRASKA  
**Office of the Attorney General**

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**DOUGLAS J. PETERSON**  
ATTORNEY GENERAL

**MEMORANDUM**

TO: Nebraska Law Enforcement, County Attorneys, and State Agencies  
FROM: Doug Peterson, Nebraska Attorney General  
RE: Nebraska's legal minimum age for use or purchase of tobacco products  
DATE: December 31, 2019

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In light of recent media reports and federal action regarding what some may know as the federal "Tobacco 21 Act" (H.R. 1865, amending 21 U.S.C. § 387f), the Nebraska Attorney's General Office is issuing this clarifying statement. As of January 1, 2020, Nebraska law (Neb. Rev. Stat. §§ 28-1418 et seq.) provides that the legal minimum age for use or purchase of tobacco products (including cigarettes, electronic nicotine delivery systems, and other tobacco products) will become 19 years of age. As a result, the Nebraska Attorney's General Office is advising Nebraska law enforcement and pertinent state agencies that enforcement shall be limited to enforcement of the state law, unless the Nebraska Legislature changes the minimum age from 19 to 21 as suggested by the federal "Tobacco 21 Act."

  
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Douglas J. Peterson  
Nebraska Attorney General