

## Session 116 - (2005-2006)

**S\*0384 (Rat #0224, Act #0231 of 2006) General Bill, By Lourie, Thomas, Reese, Bryant, Knotts, Sheheen, Hutto, McGill, Jackson, Ford, Scott, Malloy, Land, Gregory, Drummond, Pinckney, Cromer, Short, Matthews, Campsen, Anderson and Hawkins**

**Summary:** Individuals under 18 may not purchase tobacco products

AN ACT TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SUPPLYING MINORS WITH CIGARETTES OR TOBACCO, SO AS TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO DISTRIBUTING TO AND PURCHASING FOR MINORS ANY TOBACCO PRODUCT; TO PROVIDE THAT IT IS UNLAWFUL TO SELL A TOBACCO PRODUCT TO AN INDIVIDUAL WHO DOES NOT PRESENT PROOF OF AGE; TO PROVIDE THAT IT IS A DEFENSE TO REASONABLY RELY ON THE PROOF OF AGE AN INDIVIDUAL PROVIDES; TO PROVIDE THAT IT IS UNLAWFUL TO SELL A TOBACCO PRODUCT THROUGH A VENDING MACHINE UNLESS THE LOCATION IS ONLY OPEN TO INDIVIDUALS OVER EIGHTEEN OR UNLESS THE VENDING MACHINE IS UNDER CONTINUOUS CONTROL BY THE OWNER, AND TO INCREASE FINES FOR VIOLATIONS; TO PROVIDE THAT IT IS UNLAWFUL FOR AN INDIVIDUAL UNDER EIGHTEEN YEARS OF AGE TO PURCHASE OR POSSESS, OR ATTEMPT TO PURCHASE OR POSSESS, A TOBACCO PRODUCT OR TO OFFER FRAUDULENT PROOF OF AGE FOR THE PURPOSE OF PURCHASING OR POSSESSING A TOBACCO PRODUCT; TO PROVIDE THAT A VIOLATION BY A MINOR IS A NONCRIMINAL, CIVIL VIOLATION AND IN LIEU OF IMPOSING A FINE, A MINOR MAY BE REQUIRED TO ATTEND A SMOKING CESSATION PROGRAM OR PERFORM COMMUNITY SERVICE; TO PROVIDE THAT A MINOR'S DRIVING PRIVILEGES MAY BE DELAYED OR RESTRICTED IF THE MINOR FAILS TO PAY THE FINE OR COMPLETE AN ALTERNATIVE REQUIREMENT; TO PROVIDE THAT A UNIFORM TRAFFIC TICKET MAY BE USED FOR CITING A VIOLATION BY A MINOR; TO REQUIRE LAW ENFORCEMENT TO NOTIFY THE MINOR'S PARENTS OF THE VIOLATION; TO PLACE JURISDICTION OF THESE CASES ONLY IN THE MUNICIPAL AND MAGISTRATE'S COURTS; AND TO REQUIRE RETAIL ESTABLISHMENTS SELLING TOBACCO PRODUCTS TO TRAIN ITS EMPLOYEES REGARDING UNLAWFUL SALES TO MINORS; AND TO AMEND SECTION 16-17-501, RELATING TO, AMONG OTHER THINGS, THE DEFINITION OF "PROOF OF AGE" WITH REGARD TO THE SALE AND PURCHASE OF TOBACCO, SO AS TO PROVIDE THAT AN IDENTIFICATION CARD ISSUED BY THE STATE OR THE UNITED STATES ARMED SERVICES IS ACCEPTABLE PROOF OF AGE; AND TO DELETE THE PROVISIONS DISBURSING FINES COLLECTED. - ratified title

02/01/05	Senate	Introduced and read first time SJ-7
02/01/05	Senate	Referred to Committee on Judiciary SJ-7
04/13/05	Senate	Committee report: Favorable with amendment Judiciary SJ-15
04/14/05	Senate	Amended SJ-22
04/14/05	Senate	Read second time SJ-22
04/15/05		Scrivener's error corrected
04/18/05	Senate	Read third time and sent to House SJ-30
04/19/05	House	Introduced and read first time HJ-18
04/19/05	House	Referred to Committee on Judiciary HJ-18
05/19/05	House	Recalled from Committee on Judiciary HJ-54
05/26/05	House	Amended HJ-33
05/26/05	House	Read second time HJ-37
05/26/05	House	Unanimous consent for third reading on next legislative day HJ-37
05/27/05	House	Read third time and returned to Senate with amendments HJ-2
05/27/05		Scrivener's error corrected
05/31/05	Senate	House amendment amended SJ-57
06/01/05		Scrivener's error corrected
01/25/06	Senate	House amendment amended SJ-16
01/25/06	Senate	Returned to House with amendments SJ-16
01/26/06		Scrivener's error corrected
02/01/06	House	Concurred in Senate amendment and enrolled HJ-47
02/15/06		Ratified R 224
02/21/06		Signed By Governor
02/23/06		Copies available
02/23/06		Effective date 08/21/06
02/27/06		Act No. 231