**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3421**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bernstein, Finlay, Thayer and Norrell

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Introduced in the House on January 8, 2019

Currently residing in the House Committee on **Judiciary**

Summary: Internet sales of alternative nicotine products

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to Committee on **Judiciary**

1/8/2019 House Introduced and read first time ([House Journal‑page 233](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 233](file:///h:\hj\20190108.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3421&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3421_20181218.docx)

**A** **BILL**

TO AMEND SECTION 16‑17‑500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INTERNET SALES OF ALTERNATIVE NICOTINE PRODUCTS, SO AS TO STRENGTHEN AGE VERIFICATION REQUIREMENTS TO PROHIBIT PURCHASES BY MINORS AND TO APPLY ALSO TO INTERNET SALES OF TOBACCO PRODUCTS; AND TO AMEND SECTION 16‑17‑501, RELATING IN PART TO THE DEFINITION OF “ALTERNATIVE NICOTINE PRODUCT”, SO AS TO CHANGE THE DEFINITION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16‑17‑500(C) of the 1976 Code is amended to read:

“(C) A person engaged in the sale of tobacco products or alternative nicotine products made through the Internet or other remote sales methods shall perform an age verification through an independent, third‑party age verification service that compares information available from public records to the personal information entered by the individual during the ordering process that establishes the individual is eighteen years of age or older and shall use a method of mailing, shipping, or delivery that requires the signature of a person at least eighteen years of age before a tobacco product or alternative nicotine product will be released to the purchaser.”

SECTION 2. A. The undesignated clause in Section 16‑17‑501 of the 1976 Code is amended to read:

“As used in this section and Sections 16‑17‑500, 16‑17‑502, 16‑17‑503, and 16‑17‑504:”

B. Section 16‑17‑501(6) of the 1976 Code is amended to read:

“(6) ‘Alternative nicotine product’ means a product, including electronic cigarettes, that consists of or contains nicotine or other substances that can be ingested into the body by chewing, smoking, absorbing, dissolving, inhaling, or by any other means. “Alternative nicotine product” does not include:

(a) a cigarette, as defined in Section 12‑21‑620, or other tobacco products, as defined in Section 12‑21‑800;

(b) a product that is a drug pursuant to 21 U.S.C. 321(g)(1);

(c) a device pursuant to 21 U.S.C. 321(h); or

(d) a combination product described in 21 U.S.C. 353(g).”

SECTION 3. This act takes effect upon approval by the Governor.

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