COMMITTEE REPORT

March 21, 2019

**H. 3274**

Introduced by Reps. Simrill, Rutherford, Ligon, Taylor, Loftis, Hixon, Gilliard, West, Bannister and King

S. Printed 3/21/19--S.

Read the first time February 27, 2019.

**THE COMMITTEE ON MEDICAL AFFAIRS**

To whom was referred a Bill (H. 3274) to amend the Code of Laws of South Carolina, 1976, by adding Section 44‑95‑45 so as to provide that political subdivisions of this state may not enact, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, page 1, by striking line 32 and inserting:

/products, or alternative nicotine products. Nothing in this section shall be construed to interfere with a political subdivision’s authority to determine its own public use policies relating to any of the products referenced in this section.” /

Amend the bill further, as and if amended, page 1, by striking line 38 and inserting:

/the preemption imposed by this act. Nothing in this act shall be construed to interfere with a political subdivision’s authority to determine its own public use policies relating to any of the products referenced in this act. /

Renumber sections to conform.

Amend title to conform.

DANIEL B. VERDIN III for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑95‑45 SO AS TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC CIGARETTES, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO JANUARY 1, 2019, ARE NOT SUBJECT TO THE PREEMPTION IMPOSED BY THIS ACT.

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

SECTION 1. Chapter 95, Title 44 of the 1976 Code is amended by adding:

“Section 44‑95‑45. Political subdivisions of this State may not enact any laws, ordinances, or rules pertaining to ingredients, flavors, or licensing of cigarettes, electronic cigarettes, tobacco products, or alternative nicotine products.”

SECTION 2. Laws, ordinances, or rules enacted by political subdivisions of this State prior to January 1, 2019, pertaining to ingredients, flavors, or licensing of cigarettes, electronic cigarettes, tobacco products, or alternative nicotine products are exempt from the preemption imposed by this act.

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

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