**A** **BILL**

TO AMEND SECTION 16‑17‑500, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS OR ALTERNATIVE NICOTINE PRODUCTS, SO AS TO REQUIRE RETAIL ESTABLISHMENTS TO PERFORM CERTAIN IDENTIFICATION VERIFICATION BEFORE SELLING SUCH PRODUCTS.

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

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

“(D)(1) Before selling a tobacco product or alternative nicotine product to a customer, a retail establishment shall verify that the customer is at least eighteen years of age by examining a government‑issued photographic identification and performing age verification through enhanced controls that utilize a scanning technology or other automated, software‑based system.

(2) It is unlawful to sell a tobacco product or an alternative nicotine product through a vending machine unless the vending machine is located in ~~an~~ a retail establishment:

~~(1)~~(a) which is open only to individuals who are eighteen years of age or older, provided the retail establishment must verify the age of individuals in accordance with item (1); or

~~(2)~~(b) where the vending machine is under continuous control by the owner or licensee of the premises, or an employee of the owner or licensee, can be operated only upon activation by the owner, licensee, or employee before each purchase after verification of the individual’s age in accordance with item (1), and is not accessible to the public when the retail establishment is closed.”

SECTION 2. This act takes effect upon approval by the Governor.

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