**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3483**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Long, Chumley and Kilmartin

Companion/Similar bill(s): 414, 3681

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Introduced in the House on January 10, 2023

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

Summary: Nicotine

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/8/2022 House Prefiled

12/8/2022 House Referred to Committee on **Judiciary**

1/10/2023 House Introduced and read first time ([House Journal‑page 184](h:\hj\20230110.docx))

1/10/2023 House Referred to Committee on **Judiciary** ([House Journal‑page 184](h:\hj\20230110.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3483&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3483_20221208.docx)

A bill

to amend the South Carolina Code of Laws 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 SMOKING DEVICES, E‑LIQUID, VAPOR PRODUCTS, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO the effective date of the act 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 S.C. Code is amended by adding:

Section 44‑95‑45.(A) Political subdivisions of this State may not enact any laws, ordinances, or rules pertaining to ingredients, flavors, or licensing, beyond a general business license, related to the sale of the following products:

(1) cigarettes, as defined in Section 12‑21‑620;

(2) electronic smoking devices, e‑liquid, vapor products, tobacco products, or alternative nicotine products, each as defined in Section 16‑17‑501; or

(3) any other product containing nicotine that can be ingested into the body by chewing, smoking, absorbing, dissolving, inhaling, or by any means.

(B) 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.

SECTION 2. Laws, ordinances, or rules enacted by political subdivisions of this State prior to the effective date of this act, pertaining to ingredients, flavors, or licensing, related to the sale of cigarettes, electronic smoking devices, e‑liquid, vapor products, tobacco products, alternative nicotine products, or any other products containing nicotine that can be ingested into the body by chewing, smoking, absorbing, dissolving, inhaling, or by any means, and municipal code amendments to said laws, ordinances, or rules, are exempt from 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.

SECTION 3. Nothing in this act shall be construed to interfere with a political subdivision's authority under Chapter 29, Title 6, including, without limitation, with respect to land use regulation, land development regulation, zoning, or permitting.

SECTION 4. This act takes effect upon approval by the Governor.

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