**South Carolina General Assembly**

125th Session, 2023-2024

**A205, R222, H4817**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. West and G.M. Smith

Companion/Similar bill(s): 904

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Introduced in the House on January 10, 2024

Introduced in the Senate on March 13, 2024

Currently residing in the House

Governor's Action: May 21, 2024, Signed

Summary: Tobacco products, sale or purchase by minors

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/10/2024 House Introduced and read first time (House Journal‑page 37)

 1/10/2024 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** (House Journal‑page 37)

 2/28/2024 House Committee report: Favorable **Medical, Military, Public and Municipal Affairs** (House Journal‑page 12)

 3/1/2024 Scrivener's error corrected

 3/6/2024 House Read second time (House Journal‑page 54)

 3/6/2024 House Roll call Yeas-87 Nays-21 (House Journal‑page 54)

 3/7/2024 House Debate adjourned until Mon., 3-11-24 (House Journal‑page 24)

 3/13/2024 House Read third time and sent to Senate (House Journal‑page 12)

 3/13/2024 Senate Introduced and read first time (Senate Journal‑page 5)

 3/13/2024 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 5)

 4/23/2024 Senate Referred to Subcommittee: Hutto (ch), Adams,
 Garrett, Gustafson

 5/1/2024 Senate Committee report: Favorable **Judiciary** (Senate Journal‑page 13)

 5/8/2024 Senate Read second time (Senate Journal‑page 148)

 5/8/2024 Senate Roll call Ayes-44 Nays-0 (Senate Journal‑page 148)

 5/9/2024 Senate Read third time and enrolled (Senate Journal‑page 131)

 5/15/2024 Ratified R 222

 5/21/2024 Signed By Governor

 5/29/2024 Effective date 05/21/24

 5/29/2024 Act No. 205

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4817&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/10/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4817_20240110.docx)

[02/28/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4817_20240228.docx)

[03/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4817_20240301.docx)

[05/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4817_20240501.docx)

(A205, R222, H4817)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16‑17‑500, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO MINORS WITHOUT PROOF OF AGE AND THE LOCATION OF VENDING MACHINES, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS AND TO REQUIRE INDIVIDUALS SEEKING TO PURCHASE TOBACCO PRODUCTS OR ALTERNATIVE NICOTINE PRODUCTS TO PRESENT PROOF OF AGE UPON DEMAND, AND TO ALLOW THE PURCHASE OF TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS FROM VENDING MACHINES IN CERTAIN ESTABLISHMENTS.

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

Alternative nicotine products, proof of age, vending machines

SECTION 1. Section 16‑17‑500(B) and (D) of the S.C. Code is amended to read:

 (B) It is unlawful to sell a tobacco product or an alternative nicotine product to an individual who does not present, upon demand, proper proof of age. Failure to demand identification to verify an individual's age is not a defense to an action initiated pursuant to this subsection. Proof that is demanded, is shown, and reasonably is relied upon for the individual's proof of age is a defense to an action initiated pursuant to this subsection.

 (D) 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 establishment:

 (1) which is open only to individuals who are eighteen years of age or older; or

 (2) 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 by activation by the owner, licensee, or employee before each purchase, and is not accessible to the public when the establishment is closed.

Time effective

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

Ratified the 15th day of May, 2024.

Approved the 21st day of May, 2024.

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