**South Carolina General Assembly**

125th Session, 2023-2024

**S. 904**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Hutto

Companion/Similar bill(s): 4817

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Introduced in the Senate on January 9, 2024

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

Summary: Sale or Purchase of Tobacco Products to Minors

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/9/2024 Senate Introduced and read first time (Senate Journal‑page 77)

 1/9/2024 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 77)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=904&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/09/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/904_20240109.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-17-500(B), RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO MINORS WITHOUT PROOF OF AGE, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS AND TO REQUIRE THE PERSON SEEKING TO PURCHASE A TOBACCO PRODUCT OR ALTERNATIVE NICOTINE PRODUCTS TO PRESENT PROOF OF AGE UPON DEMAND; AND BY AMENDING SECTION 16-17-500(D), RELATING TO THE LOCATION OF VENDING MACHINES FOR TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS, SO AS 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:

SECTION 1. Section 16-17-500(B) 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 without a demand of a 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.

SECTION 2. Section 16-17-500(D) of the S.C. Code is amended to read:

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

 (2) in which 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.

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

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