

## Session 116 - (2005-2006)

### H 3243 General Bill, By Talley

**Summary:** Youth Access to Tobacco Prevention Act of 2005

A BILL TO ENACT THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2005" INCLUDING PROVISIONS TO AMEND SECTION 16-17-500, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SUPPLYING MINORS WITH TOBACCO OR CIGARETTES, SO AS TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO THE DISTRIBUTION OR PURCHASE FOR A MINOR OF CIGARETTES, TOBACCO, CIGARETTE PAPER, OR A TOBACCO PRODUCT, TO PROVIDE THAT A PERSON MAY NOT SELL A TOBACCO PRODUCT TO AN INDIVIDUAL WHO DOES NOT PRESENT UPON DEMAND PROPER PROOF OF AGE OR IS NOT BELIEVED TO BE OVER TWENTY-SEVEN YEARS OF AGE, TO PROVIDE THAT A RETAIL DISTRIBUTOR OF TOBACCO PRODUCTS MUST TRAIN ITS RETAIL SALES EMPLOYEES REGARDING THE PROVISIONS CONTAINED IN THIS SECTION, TO PROVIDE THAT CERTAIN INDIVIDUALS LESS THAN EIGHTEEN YEARS OF AGE MAY NOT PURCHASE, ACCEPT RECEIPT, ATTEMPT TO PURCHASE, ATTEMPT TO ACCEPT RECEIPT OF A TOBACCO PRODUCT, OR PRESENT OR OFFER FRAUDULENT PROOF OF AGE FOR THE PURPOSE OF PURCHASING OR POSSESSING A TOBACCO PRODUCT, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY MAY USE MINORS TO TEST A COMMUNITY'S COMPLIANCE WITH THIS SECTION, TO PROVIDE THAT IT IS UNLAWFUL FOR AN INDIVIDUAL UNDER THE AGE OF EIGHTEEN TO POSSESS A TOBACCO PRODUCT, TO PROVIDE THE CONDITIONS IN WHICH TOBACCO PRODUCTS MAY BE DISTRIBUTED IN VENDING MACHINES, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS CONTAINED IN THIS SECTION, AND TO DEFINE THE TERM "PERSON"; TO AMEND SECTION 16-17-501, RELATING TO DEFINITIONS OF TERMS RELATING TO THE DISTRIBUTION OF TOBACCO PRODUCT SAMPLES AND THE IMPLEMENTATION OF PROVISIONS THAT REGULATE THE SALE AND USE OF TOBACCO PRODUCTS BY LOCAL GOVERNMENTS, SO AS TO PROVIDE THAT THESE DEFINITIONS APPLY TO PROVISIONS REGULATING SUPPLYING TOBACCO PRODUCTS TO MINORS; AND TO REVISE THE DEFINITION OF THE TERM "PROOF OF AGE".

01/11/05	House	Introduced and read first time HJ-141
01/11/05	House	Referred to Committee on Judiciary HJ-142
04/14/05	House	Committee report: Favorable with amendment Judiciary HJ-2
04/19/05	House	Amended HJ-137
04/19/05	House	Read second time HJ-141
04/20/05	House	Read third time and sent to Senate HJ-31
04/20/05	Senate	Introduced and read first time SJ-6
04/20/05	Senate	Referred to Committee on Judiciary SJ-6
04/20/05		Scrivener's error corrected
04/26/05	Senate	Referred to Subcommittee: Hawkins (ch), Cromer, Sheheen, Lourie
05/25/05	Senate	Committee report: Favorable with amendment Judiciary SJ-26
03/21/06	Senate	Recommitted to Committee on Judiciary SJ-27