

AN ACT

ENTITLED, An Act to revise certain provisions relating to the sales and distribution of tobacco products.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 34-46-2 be amended to read as follows:

34-46-2. The following actions are unlawful:

- (1) To knowingly sell or distribute a tobacco product to a person under the age of eighteen;
- (2) To purchase or attempt to purchase, to receive or attempt to receive, to possess, or to consume a tobacco product if a person is under the age of eighteen;
- (3) To purchase a tobacco product on behalf of, or to give a tobacco product to, any person under the age of eighteen;
- (4) To sell cigarettes other than in an unopened package originating with the manufacturer and depicting the warning labels required by federal law;
- (5) To sell tobacco products through a vending machine located in a place other than the following:
 - (a) A factory, business, office, or other place not open to the general public;
 - (b) A place that is open to the public but to which persons under the age of eighteen are denied access; or
 - (c) An establishment licensed under chapter 35-4 to sell alcoholic beverages for consumption on the premises where sold;
- (6) To distribute tobacco product samples in or on a public street, sidewalk, or park that is within five hundred feet of a playground, school, or other facility when the facility is being used primarily by persons under the age of eighteen.

An Act to revise certain provisions relating to the sales and distribution of tobacco products.

I certify that the attached Act
originated in the

HOUSE as Bill No. 1162

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1162

File No. _____

Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
SS.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State