

AN ACT

ENTITLED, An Act to revise the places where vending machines selling tobacco products may be located.

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 or to receive or attempt to receive a tobacco product if a person is under the age of eighteen;
- (3) To sell cigarettes other than in an unopened package originating with the manufacturer and depicting the warning labels required by federal law;
- (4) 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)
  - (d) An establishment licensed under chapter 35-4 to sell alcoholic beverages for consumption on the premises where sold;
- (5) 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 the places where vending machines selling tobacco products may be located.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1182

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1182

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_ ,

19\_\_ at \_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 19\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
SS.  
Office of the Secretary of State

Filed \_\_\_\_\_, 19\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State