

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 641

By Senator(s) Committee

6 Amend by striking all after the enacting clause and inserting
7 in lieu thereof the following:

8

9 SECTION 1. The following provision shall be codified as
10 Section 97-32-25, Mississippi Code of 1972:

11 97-32-25. This act shall be known and cited as "Mississippi
12 Adult Tobacco Use on Educational Property Act of 2000."

13 SECTION 2. The following provision shall be codified as
14 Section 97-32-27, Mississippi Code of 1972:

15 97-32-27. (1) "Adult" means any natural person, age
16 eighteen (18) years old.

17 (2) "Minor" means any natural person under the age of
18 eighteen (18) years old.

19 (3) "Person" means any natural person.

20 (4) "Tobacco product" means any substance that contains
21 tobacco including, but not limited to, cigarettes, cigars, pipes,
22 snuff, smoking tobacco or smokeless tobacco.

23 (5) "School property" means any public school building or
24 bus, public school campus, grounds, recreational area, athletic
25 field, or other property owned, used or operated by any local
26 school board, school, or directors for the administration of any
27 public educational institution or during a school-related
28 activity; provided, however, that the term "school property" shall

29not include any sixteenth section school land or lieu land on
30which is not located a school building, school campus, school
31recreational area or school athletic field. School property shall
32not include property owned or operated by the state institutions
33of higher learning, the public community and junior colleges, or
34vocational-technical complexes where only adult students are in
35attendance.

36 SECTION 3. The following provision shall be codified as
37Section 97-32-29, Mississippi Code of 1972:

38 97-32-29. No person shall use any tobacco product on any
39school property as defined in Section 2 of this act. Any adult
40who violates this section shall be subject to a fine and shall be
41liable as follows: (a) for a first conviction, a fine of Fifty
42Dollars (\$50.00); (b) for a second conviction, a fine of
43Seventy-five Dollars (\$75.00); and (c) for all subsequent
44convictions, a fine of One Hundred Fifty Dollars (\$150.00) shall
45be imposed.

46 Any adult found in violation of this section shall be issued
47a citation by the law enforcement agency issuing the citation.
48Notification shall include the opportunity for hearing before the
49appropriate court. For the purposes of this section, "subsequent
50violations" are those committed on any educational property within
51the State of Mississippi.

52 It is the responsibility of all law enforcement officers and
53law enforcement agencies of this state to ensure that the
54provisions of this act are enforced.

55 SECTION 4. This act shall take effect and be in force from
56and after July 1, 2000, and shall stand repealed from and after
57June 30, 2000.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO CODIFY SECTIONS 97-32-25, 97-32-27 AND 97-32-29,
2MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF TOBACCO BY ADULTS
3ON CERTAIN SCHOOL PROPERTY AND TO PRESCRIBE FINES FOR VIOLATIONS
4THEREOF; AND FOR RELATED PURPOSES.