

By: Senator(s) Turner

To: Judiciary

SENATE BILL NO. 2640

1 AN ACT TO REPEAL SECTION 45-37-5, MISSISSIPPI CODE OF 1972,  
2 WHICH PROVIDES FOR THE ENFORCEMENT AND SUPREMACY OF STATE LAW OVER  
3 LOCAL LAW OF A CHAPTER THAT HAS BEEN REPEALED IN ITS ENTIRETY  
4 EXCEPT FOR THIS SECTION; TO AMEND SECTION 97-32-2, MISSISSIPPI  
5 CODE OF 1972, TO SPECIFY THAT THE INTENT OF THE LEGISLATURE  
6 INCLUDES ENSURING ELIGIBILITY FOR FEDERAL FUNDS IN THE EFFORT TO  
7 RESTRICT JUVENILE ACCESS TO TOBACCO; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** Section 45-37-5, Mississippi Code of 1972, which  
10 provides for the enforcement and supremacy of state law over local  
11 law of a chapter that has been repealed in its entirety except for  
12 this section, is repealed.

13 **SECTION 2.** Section 97-32-2, Mississippi Code of 1972, is  
14 amended as follows:

15 97-32-2. It is the intent of the Legislature that  
16 enforcement of this chapter be implemented in an equitable manner  
17 throughout the state so as to ensure the eligibility for and  
18 receipt of any federal funds or grants that the State of  
19 Mississippi now receives or may receive relating to the provisions  
20 of this chapter. The provisions of Sections 97-32-5, 97-32-7,  
21 97-32-11, 97-32-15, 97-32-17, 97-32-19 and 97-32-21 shall  
22 supersede any existing or subsequently enacted local law,  
23 ordinance or regulation which relates to the sale, promotion and  
24 distribution of tobacco and tobacco products.

25 **SECTION 3.** This act shall take effect and be in force from  
26 and after its passage.

