

By: Senator(s) Hyde-Smith

To: Judiciary, Division B

SENATE BILL NO. 2336

1 AN ACT TO AMEND SECTION 63-2-7, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE AN ENHANCED PENALTY FOR FAILURE OF AN OPERATOR OR
3 PASSENGER TO WEAR A SEAT BELT IF A CHILD UNDER A CERTAIN AGE IS A
4 PASSENGER; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 63-2-7, Mississippi Code of 1972, is
7 amended as follows:

8 63-2-7. (1) A violation of this chapter shall be a
9 misdemeanor, punishable by a fine of Twenty-five Dollars (\$25.00)
10 upon conviction; however, only the operator of a vehicle may be
11 fined for a violation of this chapter by the operator, for a
12 violation of this chapter by a front seat passenger or for a
13 violation of this chapter by a child who is at least four (4)
14 years of age but under eight (8) years of age, regardless of the
15 seat that the child occupies. Except as provided in subsection
16 (3), the maximum fine that may be imposed against the operator of
17 a vehicle for a violation of this chapter by the operator or for a
18 violation of this chapter by one or more passengers shall be
19 Twenty-five Dollars (\$25.00) in the aggregate.

20 (2) A violation of this chapter shall not be entered on the
21 driving record of any individual so convicted, nor shall any state
22 assessment provided for by Section 99-19-73, or any other state
23 law, be imposed or collected.

24 (3) Any person convicted of an offense under this section
25 when a child aged eight (8) years or younger was a passenger in
26 the vehicle at the time of the violation shall be sentenced to a
27 fine of not less than One Hundred Dollars (\$100.00).

28 **SECTION 2.** This act shall take effect and be in force from
29 and after July 1, 2007.