

By: Representative Weathersby (By Request)

To: Public Health and Human  
Services

## HOUSE BILL NO. 387

1 AN ACT TO PROHIBIT SMOKING IN THE ENCLOSED PASSENGER  
2 COMPARTMENT OF A MOTOR VEHICLE IN WHICH A PERSON UNDER THE AGE OF  
3 21 YEARS IS A PASSENGER OR THE DRIVER; TO PROVIDE PENALTIES FOR  
4 VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** (1) Smoking is prohibited by any person in the  
7 enclosed passenger compartment of a motor vehicle in which a  
8 person under the age of twenty-one (21) years is a passenger or  
9 the driver. The passenger compartment shall be considered as  
10 enclosed even if one or more windows are open. As used in this  
11 section, the term "smoking" has the meaning as defined in Section  
12 29-5-161.

13 (2) Any person violating this section is guilty of a  
14 misdemeanor and, upon conviction, shall be fined not more than  
15 Five Hundred Dollars (\$500.00), or imprisoned in the county jail  
16 for not more than thirty (30) days, or both.

17 **SECTION 2.** This act shall take effect and be in force from  
18 and after July 1, 2010.

