

By: Representative Hines

To: Public Health and Human Services

HOUSE BILL NO. 123

1 AN ACT TO PROHIBIT PERSONS FROM KNOWINGLY SMOKING IN A MOTOR
2 VEHICLE IN WHICH A CHILD WHO IS LESS THAN SIX YEARS OF AGE IS A
3 PASSENGER; TO PROVIDE THAT A VIOLATION OF THIS ACT IS A
4 MISDEMEANOR PUNISHABLE BY A FINE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** (1) This section shall be known and may be cited
7 as the "Mississippi Protection from Secondhand Smoke for Children
8 Act."

9 (2) As used in this section:

10 (a) "Motor vehicle" means any motor vehicle, except a
11 school bus, a church bus, or other public conveyance, that is
12 required by federal or state law or regulation to be equipped with
13 a passenger restraint system.

14 (b) "Smoke" means inhaling, exhaling, burning, carrying
15 or otherwise possessing any lighted cigarette, cigar, pipe or any
16 other object or device that contains lighted tobacco.

17 (3) A person shall not knowingly smoke in a motor vehicle in
18 which a child who is less than six (6) years of age is a
19 passenger.



20 (4) A person who violates this section is guilty of a
21 misdemeanor and, upon conviction, shall be punished by a fine of
22 Twenty-five Dollars (\$25.00).

23 **SECTION 2.** This act shall take effect and be in force from
24 and after July 1, 2018.

