

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1344

By: Condit of the House

and

7 Bass of the Senate

8
9
10 COMMITTEE SUBSTITUTE

11 An Act relating to tobacco use; making certain acts
12 unlawful; providing penalties; prohibiting certain
13 enforcement practices; defining terms; providing for
14 codification; and providing an effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1248 of Title 21, unless there
18 is created a duplication in numbering, reads as follows:

19 A. It shall be unlawful for the operator or passenger of a
20 motor vehicle to smoke cigarettes, pipes or cigars if a child is
21 also present in the motor vehicle.

22 B. Any person who is convicted of violating the provisions of
23 this section shall be subject to a fine of not less than Twenty
24 Dollars (\$20.00).

1 C. No law enforcement officer shall make routine stops of
2 motorists for the purpose of enforcing this section.

3 D. For purposes of this section:

4 1. "Child" shall mean any person who is fourteen (14) years of
5 age or younger; and

6 2. "Motor vehicle" shall mean any type of conveyance or device
7 in, upon or by which a person or property is or may be transported
8 from one location to another upon the avenues of public access
9 within this state. Motor vehicle shall include the passenger
10 compartment of pickups, vans, minivans and sport utility vehicles.
11 Motor vehicle shall not include trucks, truck-tractors, recreational
12 vehicles, motorcycles or motorized bicycles.

13 SECTION 2. This act shall become effective November 1, 2017.

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15 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/22/2017 -
16 DO PASS, As Amended and Coauthored.