

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

Bass of the Senate

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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.

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