

1 State of Arkansas
2 85th General Assembly
3 First Extraordinary Session, 2006
4

Call Item27

A Bill

HOUSE BILL 1046

5 By: Representative Mathis
6
7

For An Act To Be Entitled

9 AN ACT TO PROTECT CHILDREN RESTRAINED IN CHILD
10 PASSENGER SAFETY SEATS IN ARKANSAS FROM
11 SECONDHAND SMOKE; AND FOR OTHER PURPOSES.
12

Subtitle

14 THE ARKANSAS PROTECTION FROM SECONDHAND
15 SMOKE FOR CHILDREN ACT OF 2006.
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17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Title.

21 This subchapter shall be known and may be cited as the "Arkansas
22 Protection From Secondhand Smoke for Children Act of 2006".
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24 SECTION 2. Definition.

25 As used in this subchapter "motor vehicle" means any motor vehicle,
26 except a school bus, church bus, and other public conveyance, which is
27 required by federal law or regulation to be equipped with a passenger
28 restraint system.
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30 SECTION 3. Tobacco use – Prohibitions.

31 Upon the effective date of this act, smoking is prohibited in all motor
32 vehicles in which a child who is less than six (6) years of age and who
33 weighs less than sixty pounds (60 lbs.) is restrained in a child passenger
34 safety seat properly secured to the vehicle in accordance with § 27-34-101 et
35 seq.
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1 SECTION 4. Rules and regulations - Promulgation and enforcement
2 authority.

3 (a) The State Board of Health may adopt reasonable rules and
4 regulations that it determines are necessary or useful to carry out the
5 purposes or facilitate enforcement of the subchapter.

6 (b) The Department of Health and Human Services and its authorized
7 agents may enforce compliance with this subchapter and any rules and
8 regulations adopted and promulgated under this subchapter by the State Board
9 of Health.

10 (c) On reasonable cause to believe that a violation of this subchapter
11 has occurred or is occurring, authorized agents of the department may enter
12 upon and inspect the premises of any establishment or business at any
13 reasonable time and in a reasonable manner.

14
15 SECTION 5. Penalty.

16 (a) A person who violates this subchapter is guilty of a violation and
17 upon conviction shall be punished by a fine not to exceed twenty-five dollars
18 (\$25.00).

19 (b) If a person is convicted, pleads guilty, pleads nolo contendere,
20 or forfeits bond for violation of this subchapter, no court costs pursuant to
21 § 16-10-305 or other costs or fees shall be assessed.

22 (c) Any person who proves to the court that he or she has entered into
23 a smoking cessation program may have his or her fine eliminated for a first
24 offense violation of this subchapter.

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