

Stricken language would be deleted from and underlined language would be added to present law.
Act 13 of the 1st Extraordinary Session

1 State of Arkansas

As Engrossed: H4/6/06

Call Item 27

2 85th General Assembly

A Bill

3 First Extraordinary Session, 2006

HOUSE BILL 1046

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5 By: Representatives Mathis, Wills, Saunders, George

6 By: Senator T. Smith

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For An Act To Be Entitled

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

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Subtitle

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

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Title.

22 This subchapter shall be known and may be cited as the "Arkansas
23 Protection From Secondhand Smoke for Children Act of 2006".

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25 SECTION 2. Definition.

26 As used in this subchapter "motor vehicle" means any motor vehicle,
27 except a school bus, church bus, and other public conveyance, which is
28 required by federal or state law or regulation to be equipped with a
29 passenger restraint system.

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31 SECTION 3. Tobacco use – Prohibitions.

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



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SECTION 4. Penalty.

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

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

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

/s/ Mathis, et al.

APPROVED: 4/10/2006