

House Bill 175

By: Representatives Smith of the 13th, Post 2, Smith of the 87th, Smith of the 110th and Smith of the 76th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated,
2 relating to general provisions for offenses against public health and morals, so as to provide
3 for the crime of smoking in a motor vehicle while a child is restrained in a child passenger
4 restraining system; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to
9 general provisions for offenses against public health and morals, is amended by adding a new
10 Code Section 16-12-2.1 to follow Code Section 16-12-2, relating to smoking in public places,
11 to read as follows:

12 "16-12-2.1.

13 (a) It shall be unlawful for any person to smoke tobacco in any form in the presence of a
14 child who is in a child passenger restraining system in a passenger automobile, van, or
15 pickup truck.

16 (b) A person who violates subsection (a) of this Code section shall be guilty of a
17 misdemeanor."

18 **SECTION 2.**

19 All laws and parts of laws in conflict with this Act are repealed.