

Senate Bill 196

By: Senators Carter of the 13th, Butler of the 55th, Moody of the 56th, Thomas of the 54th and Douglas of the 17th

AS PASSED SENATE

**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 on a school bus or other vehicle transporting children to and from
4 schools or early care and education programs; to provide for related matters; to repeal
5 conflicting laws; and for other 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 on any school bus,
14 van, or other vehicle which is used by a public or private school or early care and education
15 program, as defined by Code Section 20-1A-2, to transport children or students to or from
16 such school or program or to any school or program related event. This shall apply
17 regardless of whether any child or student is present on the bus, van, or other vehicle. This
18 shall not apply to personal vehicles of teachers or staff of a public or private school or early
19 care and education program.

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

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.