**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OR OCCUPANT OF A MOTOR VEHICLE TO SMOKE A TOBACCO PRODUCT WHILE A CHILD FIVE YEARS OLD OR YOUNGER IS ALSO AN OCCUPANT OF THE MOTOR VEHICLE, AND TO PROVIDE A PENALTY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 31, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑3910. (A) It is unlawful for a driver or occupant of a private or public passenger motor vehicle to smoke a tobacco product while a child five years old or younger is also an occupant of the motor vehicle.

(B) A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than ten days.”

SECTION 2. This act takes effect upon approval by the Governor.

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