

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 501

By: Garvin

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5  
6 AS INTRODUCED

7 An Act relating to smoking in an automobile with a  
8 minor; creating certain fine; requiring deposit of  
9 proceeds in certain fund; defining certain terms;  
10 providing for codification; and providing an  
11 effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 1248 of Title 21, unless there  
15 is created a duplication in numbering, reads as follows:

16 A. There shall be a fine assessed at no more than One Hundred  
17 Dollars (\$100.00) and no less than Fifty Dollars (\$50.00) for any  
18 person who knowingly smokes tobacco, marijuana, or uses a vapor  
19 product in an automobile where a minor is present. Proceeds from  
20 the assessed fine shall be deposited into the Tobacco Prevention and  
21 Cessation Revolving Fund created in Section 1-105d of Title 63 of  
22 the Oklahoma Statues.

23 B. As used in this act:  
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1           1. "Automobile" shall mean every motor vehicle of the type  
2 constructed and used for the transportation of persons for purposes  
3 other than for hire or compensation. This shall include all  
4 vehicles of the station wagon type whether the same are called  
5 station wagons, ranch wagons, or van wagons, except those used for  
6 commercial purposes, suburbans, town and country, or by any other  
7 name, except when owned and used as a school bus or motor bus by a  
8 school district, a religious corporation, or society as elsewhere  
9 provided by law;

10           2. "Marijuana" shall mean all parts of the plant Cannabis  
11 sativa L., whether growing or not; the seeds thereof; the resin  
12 extracted from any part of such plant; and every compound,  
13 manufacture, salt, derivative, mixture, or preparation of such  
14 plant, its seeds, or resin; and

15           3. "Vapor products" shall mean noncombustible products, that  
16 may or may not contain nicotine, that employ a mechanical heating  
17 element, battery, electronic circuit, or other mechanism, regardless  
18 of shape or size, that can be used to produce a vapor in a solution  
19 or other form. Vapor products shall include any vapor cartridge or  
20 other container, with or without nicotine, that is intended to be  
21 used with or in an electronic cigarette, electronic cigar,  
22 electronic cigarillo, electronic pipe, or a similar product or  
23 device. Vapor products do not include any products regulated by the  
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1 United States Food and Drug Administration under Chapter V of the  
2 Food, Drug, and Cosmetic Act.

3 SECTION 2. This act shall become effective November 1, 2023.  
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