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Chapter 8

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# State of Rhode Island, &c.

S. 8  
IN GENERAL ASSEMBLY

JANUARY SESSION, A. D. 1977

LAW

AN ACT

RECEIVED

JUN 18 1977

PROHIBITING SMOKING IN CERTAIN PUBLIC PLACES  
JCSB  
RLM  
Action

It is enacted by the General Assembly as follows:

SECTION 1. Title 23 of the general laws entitled "Health and safety" as amended is hereby further amended by adding thereto the following chapter:

"CHAPTER 56

"Smoking in Public Places

"23-56-1. LEGISLATIVE INTENT. - The use of tobacco for smoking purposes is being found to be increasingly dangerous, not only to the person smoking but also to the non-smoking person who is required to breathe such contaminated air. The most pervasive intrusion of the non-smoker's right to unpolluted air space is the uncontrolled smoking in public places. The legislature intends, by the enactment of this chapter, to protect the health and atmospheric environment of the non-smoker by regulating smoking in certain public areas.

At C 1/27/77 "23-56-2. SMOKING IN CERTAIN PUBLIC AREAS-VIOLATION-PENALTY. -  
(a) Smoking tobacco in any form is a public nuisance and dangerous to public health AND SHALL NOT BE PERMITTED in any of the following places used by or open to the public: elevators, indoor movie theaters, libraries, art galleries, museums, concert halls, buses, primary, secondary or post secondary school buildings, colleges, supermarkets, medical offices, and hospitals.

(b) Whoever violates this section shall be deemed to be contributing to the maintenance of a public nuisance in a public place, and shall be subject to summary ejection from such public place by the proper authorities in control of said premises.

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(c) This section does not prohibit smoking in the areas listed in subsection (a) if the smoking is confined to areas separated from those used by the general public.

"23-56-3. SEVERABILITY.-If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SEC. 2. This act shall take effect 60 days after passage.