

State of Rhode Island, &c.

IN GENERAL ASSEMBLY

JANUARY SESSION, A. D. 19 79

AN ACT

RELATING TO SMOKING IN PUBLIC PLACES

It is enacted by the General Assembly as follows:

SECTION 1. Section 23-56-2 of the general laws, in chapter 23-56 entitled "Smoking in public places", is hereby amended to read as follows:

"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.

(1) The proprietor or other person in charge of a public area listed in subsection (a) shall make reasonable efforts to prevent smoking by posting no smoking and warning signs.

~~(2) Any proprietor or person in charge of those places listed in subsection (a) of the above who fails or neglects to enforce the provisions of this subsection shall be subject to a fine of not more than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00).~~

(b) Any person who violates this chapter 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 property authorities in control of said premises, and shall be subject

Amended in the House H.E.W. Committee on 4/4/79 by Chairman of

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to a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.).

(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.

(d) Eating facilities with a seating capacity of fifty (50) or more persons shall have separate seating sections for nonsmokers and smokers. ~~The no smoking section shall be a minimum of thirty per cent (30%) of the total seating capacity of the facility.~~ For purposes of this subsection, an "eating facility" shall mean any building, structure, room or area maintained as, or held out to the public as an enclosure where meals are served for consideration of payment, excluded however, are bars, nightclubs, lounges, dance clubs and privately sponsored social affairs.

(1) The proprietor or person in charge of the eating facility shall post signs designating the smoking and nonsmoking sections.

~~(2) Any proprietor or person in charge of the eating facility who fails or neglects to enforce the provisions of this subsection shall be subject to a fine of not more than ten dollars (\$10.) nor more than one hundred dollars (\$100.).~~

(2) ~~(2)~~ The Department of Health is hereby authorized to adopt rules and regulations necessary for the implementation and enforcement of this subsection."

SEC. 2. This act shall take effect three months after passage.

This act shall take effect ~~on~~ on January 1, 1930.

Amended in the House H.E.W. committee on 4/4/79 by chairman d/c

A TRUE COPY

ATTEST

John F. Burns
SECRETARY OF STATE

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IN HOUSE OF REPRESENTATIVES
FEB 13 1979
REFERRED TO COMMITTEE ON
HEALTH, EDUCATION AND WELFARE
Eugene Pittman Clerk

In House 4477
The committee on Health, Education
and Welfare recommend the passage
AS AMENDED
H-H 5685
P. L. Caraway
For the committee

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(21) 791105685
AS AMENDED H.

AN ACT

RELATING TO SMOKING IN
PUBLIC PLACES

HOUSE OF REPRESENTATIVES
MAY 4 1979
APPROVED
MAY 5 1979
Joseph Searcy

Presented by
Henry J. Combs
M. Douglas W. Kilpatrick
R. Kevin Aron
Robert Paul Embler

PRINTED
APR 6 1979

IN THE SENATE APR 24 1979
Read and referred to
the Committee on
HEALTH, EDUCATION
AND WELFARE
Robert F. Wood
Reading Clerk

MAY 4 1979
READ AND PASSED IN CON-
CURRENCE
AS AMENDED
Robert F. Wood
FOR THE COMMITTEE

IN THE SENATE MAY 4 1979
on roll call vote
Ayes - 3
Nays -
Read and PASSED
IN CONCURRENCE
AS AMENDED
Reading Clerk

READ AND PASSED IN CONCURRENCE
TRANSMITTED TO THE GOVERNOR
MAY 4 1979
Robert F. Wood
SECRETARY OF STATE

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MAY 25 1979
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RECEIVED
MAY 25 1979
A. R. CHERRY, JR.

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