

(As Amended)

79—H 5685

Introduced by—

Representatives Connors, Kilmarx,
Horan and Boucher

Ordered Printed by—

House of Representatives

Referred to—

House Committee on Health, Educa-
tion and Welfare

Date Printed—

April 5, 1979

State of Rhode Island and Providence Plantations

JANUARY SESSION, A.D. 1979

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.

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(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.

(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 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. For the 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) 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 on January 1, 1980.

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EXPLANTION

By the Legislative Council

This act provides that eating facilities with a seating capacity of 50 or more people shall have smoking and nonsmoking seating areas. Bars, nightclubs, lounges and privately sponsored social affairs are exempted. The department of health is authorized to adopt rules and regulations for implementation and enforcement of this act.

This act would take effect three months after passage.

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