

ENGROSSED SENATE AMENDMENT  
TO  
ENGROSSED HOUSE CONCURRENT  
RESOLUTION NO. 1075

BY: FALLIN, HAMILTON (Jeff) and  
COLEMAN of the HOUSE

and

LONG (Ed) of the SENATE

A CONCURRENT RESOLUTION RELATING TO DAY CARE CENTERS;  
REQUIRING PROMULGATION OF RULES; PROHIBITING USE OF TOBACCO  
PRODUCTS IN FAMILY DAY CARE HOMES AND DAY CARE CENTERS;  
PROVIDING EXCEPTION; DEFINING TERM; AND DIRECTING  
DISTRIBUTION.

AMENDMENT NO. 1. Strike the title, resolving clause and entire  
resolution and insert

"A CONCURRENT RESOLUTION RELATING TO DAY CARE CENTERS;  
REQUIRING PROMULGATION OF RULES; PROHIBITING USE OF TOBACCO  
PRODUCTS IN FAMILY DAY CARE HOMES AND DAY CARE CENTERS;  
PROVIDING EXCEPTION; DEFINING TERM; AND DIRECTING  
DISTRIBUTION.

WHEREAS, according to the U.S. Surgeon General, smoking is the  
chief single avoidable cause of death in our society and the most  
important public health issue of our time; and

WHEREAS, the use of tobacco is still allowed to a certain extent  
in Oklahoma family day care homes and day care centers; and

WHEREAS, the Department of Human Services, pursuant to the  
Oklahoma Child Care Facilities Licensing Act, regulates smoking in  
family day care homes and day care centers; and

WHEREAS, the Department of Human Services is authorized to  
completely ban or better restrict smoking in family day care homes  
and day care centers.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 43RD OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

SECTION 1. The Department of Human Services should promulgate rules prohibiting the use of all tobacco products including, but not limited to, cigarettes, cigars, pipes, snuff, and chewing tobacco on or in the premises of any family day care home or day care center. If day care is in a private home, tobacco products should not be used in the area where children are kept during business hours. For purposes of this section "premises" means any portion of a building, structure, room or enclosure located on real estate owned, leased, used, controlled or operated by a family day care home or day care center. The term "premises" should not include any grounds or outside area which is not generally available to children.

SECTION 2. Copies of this resolution shall be distributed to the Commission for Human Services and to the Governor of this state."

Adopted by the Senate the 22d day of May, 1992.

President of the Senate

Adopted by the House of Representatives the \_\_\_\_ day of \_\_\_\_\_, 1992.

Speaker of the House of Representatives