

ENGROSSED HOUSE  
BILL NO. 2229

BY: COLEMAN of the HOUSE

and

COLE of the SENATE

AN ACT RELATING TO SCHOOL BUILDINGS; AMENDING 63 O.S.  
1991, SECTION 1-1523, WHICH RELATES TO SMOKING IN  
PUBLIC BUILDINGS; PROHIBITING SMOKING IN CERTAIN  
EDUCATIONAL FACILITIES; DELETING PROVISION FOR  
CERTAIN DESIGNATED SMOKING AREAS; AND PROVIDING AN  
EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-1523, is  
amended to read as follows:

Section 1-1523. A. No person shall smoke in a designated  
nonsmoking area in a public place or at a meeting of a public body.

B. A Except as otherwise provided for in subsection C of this  
section, a health facility or educational facility may prohibit all  
smoking in such facility or may designate smoking and nonsmoking  
areas within the facility.

C. An educational facility which offers an early childhood  
education program or in which children in grades kindergarten  
through twelve are educated ~~may also~~ shall prohibit smoking, the use  
of snuff, chewing tobacco or any other form of tobacco product in  
the buildings and on the grounds of the facility by all persons  
including, but not limited to, full-time, part-time and contract  
employees, during the hours of 8:00 a.m. to 4:00 p.m., or when class

or any program established for students is in session. In an educational facility in which children in grades kindergarten through twelve are educated, smoking areas may only be designated for adults. Provided further, educational facilities in which children in grades kindergarten through twelve are educated which designate a smoking area within the facility shall also designate a nonsmoking area within the facility which may be used by school personnel for breaks, lunch or similar activities. Such educational facilities may designate smoking areas outside the facility for the use of adults during certain activities or functions, including but not limited to athletic contests.

~~C.~~ D. This section shall not apply to a room, hall or building used for a private function if the seating arrangements are under the control of the sponsor of the function and not under the control of the state or local governmental agency or the person who owns or operates the room, hall or building, or to a licensed premises that is a part of a bowling alley area, or to a racetrack licensed by the Oklahoma Racing Commission.

~~D.~~ E. This section shall not apply to areas in which prisoners are housed in municipal jails, county jails or correctional institutions as defined in Section 502 of Title 57 of the Oklahoma Statutes.

~~E.~~ F. This section shall not apply to a separate or enclosed bar area of a licensed premise, as provided in Section 241 of Title 37 of the Oklahoma Statutes, which has as its main purpose the selling or serving of nonintoxicating beverages for consumption on the premises.

SECTION 2. This act shall become effective September 1, 1992.

Passed the House of Representatives the 25th day of February, 1992.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1992.

President of the Senate