

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2229

BY: COLEMAN

AS INTRODUCED

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; REQUIRING SCHOOL DISTRICTS TO PROHIBIT SMOKING IN FACILITIES; PROVIDING FOR CODIFICATION; 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 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.

~~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.~~

~~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. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-141 of Title 70, unless there is created a duplication in numbering, reads as follows:

The board of education of each school district shall take appropriate action to prohibit smoking, the use of any tobacco product or any illegal drug in the building and on the grounds of the educational facilities of the school district in which children in grades kindergarten through twelve are educated.

SECTION 3. This act shall become effective September 1, 1992.

43-2-7466

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