

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2130

By: Vaughn (Ray)

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1247, which relates to a prohibition against smoking in certain places; adding certain restaurants to such places where smoking is prohibited; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1247, is amended to read as follows:

Section 1247. A. The possession of lighted tobacco in any form is a public nuisance and dangerous to public health when such possession is in any of the following places used by or open to the public:

1. Elevators;
2. Indoor movie theaters and other indoor theaters;
3. Libraries, art galleries, museums, indoor roller skating rinks of a permanent structure with permanent walls and concert halls; ~~and~~
4. Buses; and
5. Restaurants with a seating capacity of fewer than fifty (50) persons.

Provided, however, that in indoor movie theaters and other indoor theaters, libraries, art galleries, museums, indoor roller skating rinks of a permanent structure with permanent walls and concert halls, certain areas separated from the principal room or rooms of the facility may be posted as "SMOKING PERMITTED" areas; provided further, that portions of buses may be posted "SMOKING PERMITTED" if such posting is pursuant to authorization by the Interstate Commerce Commission, the Oklahoma Corporation Commission or a city ordinance.

B. There shall be posted prominently in all public places included in Section 1 of this act, a "NO SMOKING" sign or "NO SMOKING" signs in sufficient numbers as to be visible from all sections of the "no smoking" area.

C. "NO SMOKING" signs, as required by this act, shall be no smaller than eight (8) inches by ten (10) inches with lettering no smaller than one (1) inch. The letters shall be of contrasting colors to the sign.

D. Responsibility for posting "NO SMOKING" signs shall be as follows:

1. In privately owned facilities, the owner or lessee, if a lessee is in possession of the facilities, shall be responsible.

2. In corporately owned facilities, the manager and/or supervisor of the facility involved shall be responsible.

3. In publicly owned facilities, the manager and/or supervisor of the facility shall be responsible.

E. Any person who knowingly violates this act is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00).

SECTION 2. This act shall become effective September 1, 1994.

