

ENGROSSED HOUSE
BILL NO. 1007

By: Vaughn, Boyd (Laura) and
Deutschendorf of the
House

and

Monson and Long (Ed) of
the Senate

An Act relating to public health and safety; amending
63 O.S. 1991, Section 1-1523, as amended by Section
14, Chapter 137, O.S.L. 1994 (63 O.S. Supp. 1994,
Section 1-1523), which relates to the Smoking in
Public Places Act; authorizing certain government
entities to prohibit smoking in certain facilities;
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, as
amended by Section 14, Chapter 137, O.S.L. 1994 (63 O.S. Supp. 1994,
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, at a meeting of a public body, in
a nursing facility licensed pursuant to the Nursing Home Care Act,
Section 1-1901 et seq. of this title, or in a child care facility,
during hours of operation, licensed pursuant to the Oklahoma Child
Care Facilities Licensing Act, Section 401 et seq. of Title 10 of
the Oklahoma Statutes. A nursing facility licensed pursuant to the
Nursing Home Care Act may designate smoking areas for residents and

their guests. Nursing facilities may designate smoking areas for employees if such designated areas are in separate rooms that are not used by residents.

B. A health facility ~~or~~, educational facility or any facility owned or operated by a state or local government entity may prohibit all smoking in such facility or may designate smoking and nonsmoking areas within the facility. An educational facility in which children in grades kindergarten through twelve are educated may also 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 and must be separately ventilated. 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. 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. 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. 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 November 1, 1995.

Passed the House of Representatives the 16th day of February, 1995.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1995.

President of the Senate