

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1984

By: Jolley

4  
5  
6 AS INTRODUCED

7 An Act relating to public health and safety; amending  
8 63 O.S. 2001, Section 1-1522, as amended by Section  
9 3, Senate Joint Resolution No. 21, p. 2357, O.S.L.  
10 2003 (63 O.S. Supp. 2009, Section 1-1522), which  
relates to the Smoking in Public Places and Indoor  
Workplaces Act; clarifying reference; and providing  
an effective date.

11  
12  
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-1522, as  
15 amended by Section 3, Senate Joint Resolution No. 21, p. 2357,  
16 O.S.L. 2003 (63 O.S. Supp. 2009, Section 1-1522), is amended to read  
17 as follows:

18 Section 1-1522. As used in ~~this act~~ the Smoking in Public  
19 Places and Indoor Workplaces Act:

20 1. "Educational facility" means a building owned, leased or  
21 under the control of a public or private school system, college or  
22 university;

23 2. "Health facility" means an entity which provides health  
24 services, including, but not limited to, hospitals, nursing homes,

1 long-term care facilities, kidney disease treatment centers, health  
2 maintenance organizations and ambulatory treatment centers;

3 3. "Indoor workplace" means any indoor place of employment or  
4 employment-type service for or at the request of another individual  
5 or individuals, or any public or private entity, whether part-time  
6 or full-time and whether for compensation or not. Such services  
7 shall include, without limitation, any service performed by an  
8 owner, employee, independent contractor, agent, partner, proprietor,  
9 manager, officer, director, apprentice, trainee, associate, servant  
10 or volunteer. An indoor workplace includes work areas, employee  
11 lounges, restrooms, conference rooms, classrooms, employee  
12 cafeterias, hallways, any other spaces used or visited by employees,  
13 and all space between a floor and ceiling that is predominantly or  
14 totally enclosed by walls or windows, regardless of doors, doorways,  
15 open or closed windows, stairways, or the like. The provisions of  
16 this section shall apply to such indoor workplace at any given time,  
17 whether or not work is being performed;

18 4. "Meeting" means a meeting as defined in the Oklahoma Open  
19 Meeting Act;

20 5. "Public body" means a public body as defined in the Oklahoma  
21 Open Meeting Act;

22 6. "Public place" means any enclosed indoor area where  
23 individuals other than employees are invited or permitted;

24

1       7. "Restaurant" means any eating establishment regardless of  
2 seating capacity;

3       8. "Smoking" means the carrying by a person of a lighted cigar,  
4 cigarette, pipe or other lighted smoking device; and

5       9. "Stand-alone bar", "stand-alone tavern", and "cigar bar"  
6 mean an establishment that derives more than sixty percent (60%) of  
7 its gross receipts, subject to verification by competent authority,  
8 from the sale of alcoholic beverages and low-point beer and no  
9 person under twenty-one (21) years of age is admitted, except for  
10 members of a musical band employed or hired as provided in paragraph  
11 2 of subsection B of Section 537 of Title 37 of the Oklahoma  
12 Statutes and that is not located within, and does not share any  
13 common entryway or common indoor area with, any other enclosed  
14 indoor workplace, including a restaurant.

15       SECTION 2. This act shall become effective November 1, 2010.

16

17       52-2-2331       JM       2/3/2010 7:18:36 PM

18

19

20

21

22

23

24