

HOUSE BILL No. 1950

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-41-37-6.

Synopsis: Nonsmoking areas in restaurants. Provides that after July 1, 2005, a restaurant may not claim to have a nonsmoking area unless the smoking and nonsmoking areas are separated by a wall.

Effective: July 1, 2003.

Thompson, Stutzman

January 23, 2003, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

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HOUSE BILL No. 1950



A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-41-37-6 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. (a) The official in
 3 charge of a public building shall do the following:
 4 (1) Post conspicuous signs that read "Smoking Is Prohibited By
 5 State Law Except In Designated Smoking Areas" or other similar
 6 language.
 7 (2) Request persons who are smoking in violation of section 4 of
 8 this chapter to refrain from smoking.
 9 (3) Remove a person who is smoking in violation of section 4 of
 10 this chapter and fails to refrain from smoking after being
 11 requested to do so.
 12 (b) The proprietor of a restaurant shall, under sections 4 and 5 of
 13 this chapter, post conspicuous signs at each entrance to the restaurant,
 14 informing the public of the establishment's smoking policy. **However,**
 15 **after July 1, 2005, a restaurant may not claim to have a**
 16 **nonsmoking area unless the smoking area and the nonsmoking**
 17 **area of the restaurant are separated by a solid, continuous wall**



- 1 **that is either:**
- 2 **(1) at least eight (8) feet in height; or**
- 3 **(2) connected to the floor and to the ceiling.**

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