
HOUSE BILL No. 1745

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-41-37-4.

Synopsis: Public transportation smoking prohibition. Prohibits smoking in a public means of mass transportation, in an enclosed area of a public mass transportation terminal or waiting area, or within 100 feet of an entrance to a public mass transportation terminal or waiting area.

Effective: July 1, 2007.

Turner, Welch, Smith V

January 26, 2007, read first time and referred to Committee on Public Health.

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First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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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 16-41-37-4 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. A person who
 3 smokes:
 4 (1) in a public building, except in an area designated as a smoking
 5 area under section 5 of this chapter;
 6 (2) in the retail area of a grocery store or drug store that is
 7 designated as a nonsmoking area by the store's proprietor;
 8 (3) in the dining area of a restaurant that is designated and posted
 9 as the restaurant's nonsmoking area by the restaurant's proprietor;
 10 **or**
 11 (4) in a school bus during a school week or while the school bus
 12 is being used for a purpose described in section 2.3(3) of this
 13 chapter;
 14 **(5) in a public means of mass transportation, including a**
 15 **train, an airplane, a taxicab, or a bus; or**
 16 **(6) in an enclosed area of a public mass transportation**
 17 **terminal or waiting area or within one hundred (100) feet of**



1 **an entrance to a public mass transportation terminal or**
2 **waiting area;**
3 commits a Class B infraction. However, the violation is a Class A
4 infraction if the person has at least three (3) previous unrelated
5 judgments for violating this section that are accrued within the twelve
6 (12) months immediately preceding the violation.

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