



# House of Representatives

General Assembly

**File No. 519**

*January Session, 2001*

Substitute House Bill No. 5250

*House of Representatives, April 30, 2001*

The Committee on Education reported through REP. STAPLES of the 96th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING SMOKING IN DORMITORIES OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 19a-342 of the general statutes is  
2 repealed and the following is substituted in lieu thereof:

3 (b) No person shall smoke: (1) In any building or portion of a  
4 building owned or leased and operated by the state or any political  
5 subdivision thereof except in a smoking area; (2) in any area of a health  
6 care institution other than a smoking area, provided the smoking area  
7 may not be the institution's only waiting area, and notice shall be  
8 posted at entrances to such institutions that smoking is prohibited by  
9 state law; (3) in any area of a retail food store open to the general  
10 public; (4) in any public area of a restaurant having a seating capacity  
11 of seventy-five or more persons, unless a sign is posted which  
12 indicates that smoking is permitted in such area, provided [(i)] (A) no  
13 such restaurant shall be designated, in its entirety, as a smoking area,

14 [(ii)] (B) smoking may be prohibited in rooms used for private social  
15 functions, and [(iii)] (C) a sign is posted at the entrance of the  
16 restaurant indicating the availability of nonsmoking areas; (5)  
17 notwithstanding the provisions of section 31-40q, within a public  
18 school building while school is in session or student activities are being  
19 conducted; and (6) in any passenger elevator, provided no person shall  
20 be arrested for violating this subsection unless there is posted in such  
21 room or elevator a sign which indicates that smoking is prohibited by  
22 state law. This subsection shall not apply to correctional facilities,  
23 [dormitory rooms in any public institution of higher education,]  
24 psychiatric facilities, public housing projects, as defined in subsection  
25 (b) of section 21a-278a, or classrooms where demonstration smoking is  
26 taking place as part of a medical or scientific experiment or lesson.

27 Sec. 2. This act shall take effect July 1, 2001.

**ED**            *Joint Favorable Subst.*

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The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Affected Agencies:** University of Connecticut, Connecticut State University

**Municipal Impact:** None

**Explanation**

**State Impact:**

Dormitory rooms in public institutions of higher education are currently exempt from the requirement that no smoking is permitted in state owned or leased facilities unless in a designated smoking area. The bill proposes to remove this exemption and it is not anticipated that passage would result in any fiscal impact. In general, smoking is already restricted to designated areas at the University of Connecticut and the Connecticut State Universities. In addition, there are smoke free residence halls within the state university system.

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**OLR Bill Analysis**

sHB 5250

***AN ACT CONCERNING SMOKING IN DORMITORIES OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION.***

**SUMMARY:**

This bill prohibits smoking in public college and university dormitory rooms. It does so by removing an exemption for dormitory rooms from the ban on smoking in any building or portion of a building owned or leased and operated by the state. The bill thereby restricts student smoking in dormitories to designated areas of the facility only.

College and university dormitory rooms appear to be implicitly included in the category of state-owned and operated buildings where smoking is prohibited; however, the law current exempts them. Current law also exempts from the smoking ban correctional facilities, psychiatric facilities, public housing projects, and classrooms where demonstration smoking is taking place as part of a medical or scientific experiment or lesson.

The bill also makes minor technical changes.

EFFECTIVE DATE: July 1, 2001

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute

Yea 27      Nay 5