



Senate

General Assembly

January Session, 2001

File No. 149

Senate Bill No. 1029

Senate, April 9, 2001

The Committee on Public Health reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING MUNICIPAL REGULATION OF SMOKING IN PUBLIC PLACES.

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

1 Subsection (f) of section 19a-342 of the general statutes is repealed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

3 [(f) The provisions of this section shall supersede and preempt the
4 provisions of any municipal law or ordinance relative to smoking
5 effective prior to, on or after October 1, 1993.]

6 (f) Nothing in this section shall be construed to limit the authority of
7 any municipality to provide by ordinance for the regulation of
8 smoking in places open to the public in a manner that is more
9 restrictive than the provisions of this section.

PH *Joint Favorable*

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:

OFA Fiscal Note

State Impact: None

Affected Agencies: None

Municipal Impact: Potential Minimal Revenue Gain

Explanation**Municipal Impact:**

It is anticipated that if a municipality chooses to adopt a no-smoking ordinance more stringent than required by state law, it will pursue enforcement activities to the extent local resources allow. A corresponding potential minimal revenue gain associated with locally imposed fines would also be expected.

OLR Bill Analysis

SB 1029

***AN ACT CONCERNING MUNICIPAL REGULATION OF SMOKING
IN PUBLIC PLACES.*****SUMMARY:**

This bill allows municipalities, by ordinance, to regulate smoking in public places in a more restrictive manner than currently done by state law.

State law prohibits smoking in any public area of a restaurant seating at least 75 people, unless a sign is posted allowing smoking in a designated area. Such a restaurant may not allow smoking to occur in the entire restaurant and may prohibit it in rooms used for private social functions.

State law also prohibits smoking in any (1) building or portion of it owned or leased and operated by the state or any political subdivision, except in a smoking area; (2) area of a health care institution other than a smoking area, as long as it is not the facility's only waiting room; (3) area of a retail food store open to the public; (4) public school building while school is in session or student activities are taking place; and (5) passenger elevator. The smoking prohibitions do not apply to correctional facilities, dormitory rooms in a public higher education institution, psychiatric facilities, public housing projects, or classrooms where demonstration smoking is taking place as part of a medical or scientific lesson.

EFFECTIVE DATE: October 1, 2001

BACKGROUND***Related Bill***

sHB 1025, favorably reported by the Public Health Committee on

March 22, prohibits smoking in any area of public accommodation. It also prohibits smoking in dormitory rooms in public higher education institutions.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Report

Yea 17 Nay 7