



General Assembly

Amendment

January Session, 2019

LCO No. 8751



Offered by:

SEN. COHEN, 12th Dist.

SEN. KELLY, 21st Dist.

To: Subst. Senate Bill No. 752

File No. 55

Cal. No. 50

"AN ACT CONCERNING SMOKING AND VAPING ON BEACHES IN STATE PARKS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2019*) (a) No person shall engage
4 in the act of smoking on any beach located in a state park.

5 (b) The Commissioner of Energy and Environmental Protection may
6 enforce the provisions of this section. Any person who violates the
7 provisions of this section shall be deemed to have committed an
8 infraction. The Department of Energy and Environmental Protection
9 shall post signage at each beach located in a state park to inform
10 members of the public of the prohibition contained in this section and,
11 within available appropriations, and as applicable, such signage shall
12 be posted at the high waterline where such beach adjoins a nonstate
13 beach.

14 (c) For purposes of this section, "smoking" means inhaling, exhaling,
15 burning, carrying or otherwise possessing any lighted cigarette, cigar,
16 pipe or any other object or device of any form that contains lighted
17 tobacco or any other smoking product including any electronic
18 nicotine delivery system and vapor product.

19 Sec. 2. Subsection (b) of section 51-164n of the general statutes is
20 repealed and the following is substituted in lieu thereof (*Effective July*
21 *1, 2019*):

22 (b) Notwithstanding any provision of the general statutes, any
23 person who is alleged to have committed (1) a violation under the
24 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
25 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-
26 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g,
27 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
28 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
29 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
30 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
31 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
32 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
33 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
34 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
35 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a or 14-
36 67a, subsection (g) of section 14-80, subsection (f) of section 14-80h,
37 section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-
38 153 or 14-163b, a first violation as specified in subsection (f) of section
39 14-164i, section 14-219 as specified in subsection (e) of said section,
40 subdivision (1) of section 14-223a, section 14-240, 14-250 or 14-253a,
41 subsection (a) of section 14-261a, section 14-262, 14-264, 14-267a, 14-
42 269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h) of section
43 14-283, section 14-291, 14-293b, 14-296aa, 14-300, 14-300d, 14-319, 14-
44 320, 14-321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3)
45 of section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-
46 97, subsection (a) of section 15-115, section 16-44, 16-256e, 16a-15 or
47 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145,

48 17a-149, 17a-152, 17a-465, 17b-124, 17b-131, 17b-137, 19a-30, 19a-33,
49 19a-39 or 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-
50 105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-
51 287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-
52 340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-
53 265, 20-324e, 20-341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-39,
54 21-43, 21-47, 21-48, 21-63 or 21-76a, subsection (c) of section 21a-2,
55 subdivision (1) of section 21a-19, section 21a-21, subdivision (1) of
56 subsection (b) of section 21a-25, section 21a-26 or 21a-30, subsection (a)
57 of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection
58 (b) of section 21a-79, section 21a-85 or 21a-154, subdivision (1) of
59 subsection (a) of section 21a-159, subsection (a) of section 21a-279a,
60 section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-29, 22-34, 22-35, 22-
61 36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49 or 22-54,
62 subsection (d) of section 22-84, section 22-89, 22-90, 22-98, 22-99, 22-
63 100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326
64 or 22-342, subsection (b), (e) or (f) of section 22-344, section 22-359, 22-
65 366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of
66 section 22a-250, subsection (e) of section 22a-256h, section 22a-363 or
67 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449,
68 22a-461, section 1 of this act, 23-37, 23-38, 23-46 or 23-61b, subsection
69 (a) or subdivision (1) of subsection (c) of section 23-65, section 25-37 or
70 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-
71 19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-58 or
72 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64,
73 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,
74 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-
75 138 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215,
76 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-
77 230, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-
78 288, 26-294, 28-13, 29-6a, 29-25, 29-143o, 29-143z or 29-156a, subsection
79 (b), (d), (e) or (g) of section 29-161q, section 29-161y or 29-161z,
80 subdivision (1) of section 29-198, section 29-210, 29-243 or 29-277,
81 subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a,
82 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,

83 31-24, 31-25, 31-32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52,
84 31-52a or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-
85 74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-
86 273, section 31-288, subdivision (1) of section 35-20, section 36a-787, 42-
87 230, 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of
88 section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-
89 8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-
90 302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-344,
91 subsection (c) of section 53-344b, or section 53-450, or (2) a violation
92 under the provisions of chapter 268, or (3) a violation of any regulation
93 adopted in accordance with the provisions of section 12-484, 12-487 or
94 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any
95 town, city or borough, except violations of building codes and the
96 health code, for which the penalty exceeds ninety dollars but does not
97 exceed two hundred fifty dollars, unless such town, city or borough
98 has established a payment and hearing procedure for such violation
99 pursuant to section 7-152c, shall follow the procedures set forth in this
100 section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	New section
Sec. 2	<i>July 1, 2019</i>	51-164n(b)