

## HB 523 -- Missouri Indoor Clean Air Act

Sponsor: Schupp

This bill repeals the Indoor Clean Air Act and establishes the Missouri Indoor Clean Air Act which establishes new laws regarding smoking in public places. In its main provisions, the bill:

- (1) Prohibits smoking in all enclosed facilities including buildings and vehicles owned, leased, or operated by governmental entities;
- (2) Prohibits smoking in all enclosed public places including, but not limited to, restaurants, bars, shopping malls, retail stores, sports arenas, theaters, and museums;
- (3) Prohibits smoking in all enclosed facilities within places of employment including, but not limited to, meeting rooms, employee lounges, private offices, and cafeterias;
- (4) Prohibits smoking in outdoor places including within 15 feet of entrances, windows, and ventilation systems; bleachers and grandstands of outdoor arenas; public transportation stations, platforms, and shelters; and playgrounds;
- (5) Exempts private residences, tobacco retail stores, at least 20% of hotel and motel rooms, and certain outdoor areas of places of employment from the provisions of the act;
- (6) Requires the posting of no smoking signs and the removal of ashtrays in prohibited areas;
- (7) Prohibits any person or employer from discriminating or retaliating against any person who has exercised his or her rights under the provisions of the bill;
- (8) Specifies that the Department of Health and Senior Services will enforce the provisions of the bill;
- (9) Specifies that any person smoking in a prohibited area will be guilty of an infraction and any person who controls a public place or place of employment who fails to comply with the provisions of the bill will be subject to a fine of up to \$50 for the first violation, a fine of up to \$100 for a second violation within one year, and a fine of up to \$500 for a third or subsequent violation within one year and may have his or her license suspended or revoked; and
- (10) Allows a political subdivision or local school board to

establish more stringent ordinances or rules.

The bill becomes effective January 2, 2014.