

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4 By: Representative Wood

A Bill

HOUSE BILL 1183

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 20, CHAPTER 27, SUBCHAPER 7,
9 PERTAINING TO THE REGULATION OF THE SMOKING OF TOBACCO IN PUBLIC
10 PLACES; AND FOR OTHER PURPOSES."

Subtitle

14 "REGULATION OF SMOKING IN RESTAURANTS"

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. Arkansas Code §20-27-701 is amended as follows:

20 "(a) Information available to the General Assembly based upon
21 scientific research data has shown that nonsmokers often receive damage to
22 their health from the smoking of tobacco by others. The simple separation of
23 smokers and nonsmokers within the same air space may reduce, but does not
24 eliminate, the exposure of nonsmokers to environmental tobacco smoke.

25 (b) It is therefore declared to be the public policy of the State of
26 Arkansas that the regulation of smoking in public places is necessary to
27 protect the health, safety, welfare, comfort, and environment of nonsmokers
28 and that the rights of nonsmokers be protected in the manner provided in this
29 subchapter.

31 SECTION 2. Arkansas Code §20-27-703 is amended to read as follows:

32 "(a) Smoking of tobacco or products containing tobacco in any form in a
33 doctor's or dentist's waiting room, in hospital corridors, nurses' stations in
34 hospitals and clinics, and in all hospital rooms, except private patient rooms
35 in this state, and on school buses is prohibited.

36 (b) The provisions of this subchapter shall not prohibit smoking in any
37 of the aforementioned areas if the smoking is assigned to areas designated as

1 smoking areas.

2 (c) The provisions of this subchapter shall not apply to hotels, and
 3 motels, and restaurants."

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5 SECTION 3. §20-27-704. Smoking Prohibited in Restaurants.

6 "(a) Smoking of tobacco or products containing tobacco in any form in a
 7 restaurant, as defined in § 3-9-402(8), is prohibited except in bar areas.

8 (b) For purposes of this subsection, "bar area" means a space primarily
 9 devoted to the serving of alcoholic beverages for consumption by guests on the
 10 premises, and in which the serving of food is incidental. "Bar area" does not
 11 include the dining areas of a restaurant, regardless of whether alcoholic
 12 beverages are served therein."

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14 SECTION 4. All provisions of this act of a general and permanent nature
 15 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 16 Revision Commission shall incorporate the same in the Code.

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18 SECTION 5. If any provision of this act or the application thereof to
 19 any person or circumstance is held invalid, such invalidity shall not affect
 20 other provisions or applications of the act which can be given effect without
 21 the invalid provision or application, and to this end the provisions of this
 22 act are declared to be severable.

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24 SECTION 6. All laws and parts of laws in conflict with this act are
 25 hereby repealed.

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