

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

# A Bill

HOUSE BILL 1912

4  
5 By: Representative Wagner

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-21-609 TO  
10 PROTECT THE RIGHTS OF NON-SMOKERS ON PROPERTY OWNED OR  
11 LEASED BY PUBLIC SCHOOL DISTRICTS; AND FOR OTHER  
12 PURPOSES."

## Subtitle

15 "TO AMEND A.C.A. § 6-21-609 TO PROTECT  
16 THE RIGHTS OF NON-SMOKERS ON PROPERTY  
17 OWNED OR LEASED BY PUBLIC SCHOOL  
18 DISTRICTS."

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

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22 SECTION 1. Arkansas Code Annotated § 6-21-609 is amended to read as  
23 follows:

24 "6-21-609. Prohibition against smoking or use of tobacco or tobacco  
25 products - Exception.

26 (a) Smoking or use of tobacco or products containing tobacco in any  
27 form in ~~enclosed areas, buildings, or facilities of a public elementary or~~  
28 ~~secondary school~~ or on any property owned or leased by a public school  
29 district, including school buses, is prohibited.

30 (b)~~(1)~~ The school district board of directors for each district may  
31 designate an area or areas away from ~~student~~ exposure to any sidestream smoke  
32 in a ~~public elementary or secondary school~~ or on any school property as a  
33 smoking area, which shall only be used by teachers, other school personnel,  
34 and visiting adults.

35 ~~————— (2) Smoking in those designated areas by nonstudent persons over~~  
36 ~~age eighteen (18) shall not be considered a violation of this section.~~

1 (c) Any person violating the provisions of this section shall be guilty  
2 of a misdemeanor and, upon conviction thereof, shall be punished by a fine of  
3 not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100)."

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5 SECTION 2. All provisions of this act of a general and permanent nature  
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
7 Revision Commission shall incorporate the same in the Code.

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9 SECTION 3. If any provision of this act or the application thereof to  
10 any person or circumstance is held invalid, such invalidity shall not affect  
11 other provisions or applications of the act which can be given effect without  
12 the invalid provision or application, and to this end the provisions of this  
13 act are declared to be severable.

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15 SECTION 4. All laws and parts of laws in conflict with this act are  
16 hereby repealed.

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