

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1150

4
5 By: Representative D. Elliott
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For An Act To Be Entitled

9 AN ACT TO PROHIBIT THE STATE BOARD OF HEALTH FROM
10 REGULATING SMOKING IN SMALL EATING ESTABLISHMENTS; AND
11 FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT TO PROHIBIT THE STATE BOARD OF
14 HEALTH FROM REGULATING SMOKING IN SMALL
15 EATING ESTABLISHMENTS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code 20-7-109, regarding the authority of the State
22 Board of Health, is amended by adding a new subsection to read as follows:

23 (d)(1) The State Board of Health shall not regulate smoking in eating
24 establishments:

25 (A) With seating capacity for fewer than twenty-five (25)
26 people; or

27 (B) If any required modifications would not be readily
28 achievable.

29 (2) As used in this section:

30 (A) "Eating establishment" means any public or private
31 place which is kept, used, maintained, advertised, and held out to the public
32 or to a private or restricted membership as a place where complete meals are
33 actually and regularly served; and

34 (B) "Readily achievable" means easily accomplishable and
35 able to be carried out without much difficulty or expense.
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