

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 As Engrossed: H3/11/05 H3/21/05 H3/24/05 H3/31/05

2 85th General Assembly

A Bill

3 Regular Session, 2005

HOUSE BILL 2684

4
5 By: Representative Ledbetter

For An Act To Be Entitled

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7
8 AN ACT TO PROHIBIT SMOKING OF TOBACCO IN OR NEAR
9 STATE BUILDINGS; AND FOR OTHER PURPOSES.

Subtitle

10 AN ACT TO PROHIBIT SMOKING IN OR NEAR
11 STATE BUILDINGS.

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

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19 SECTION 1. Arkansas Code 25-1-102 is amended to read as follows:
20 25-1-102. State agency smoking policies.

21 (a) As used in this section, ~~unless the context otherwise requires:~~

22 ~~(1) "General office space" means space occupied by personnel~~
23 ~~performing their daily work functions;~~

24 ~~(2)(1)~~ "Smoking" means the use of a lighted cigar, cigarette,
25 pipe, or any other ignited tobacco product by a person; and

26 ~~(3)(2)~~ "State agency" means any department, agency, board,
27 commission, office, educational or correctional institution, or other
28 authority of the state.

29 ~~(b) The chief administrative officer of each state agency shall~~
30 ~~promulgate a smoking policy for the general office space of the state agency.~~
31 ~~The policy shall take into consideration the rights of both nonsmokers and~~
32 ~~smokers.~~

33 (b) Smoking is unlawful in or on any property, including vehicles,
34 owned or leased by any state agency.

35 (c)(1) A copy of this section shall be posted in a conspicuous
36 location at every entrance to each building owned or leased by a state



1 agency.

2 (2) However, if the state is not the owner and not the sole
3 tenant in the leased property, a copy of this section shall be posted in a
4 conspicuous location at every entrance to the leased premises.

5 (d) Any person violating the provisions of this section is guilty of a
6 violation and upon conviction shall be punished by a fine of not less than
7 ten dollars (\$10.00) or more than one hundred dollars (\$100).

8 (e) This section does not apply to:

9 (1) Residential properties;

10 (2) Clients or patients of residential programs operated by the
11 state on state land whose right to smoke is protected by federal law or
12 regulation;

13 (3) Any state-owned lands dedicated to use by the public,
14 including, but not limited to:

15 (A) Wildlife management areas and non-residential
16 buildings immediately adjacent to the wildlife management areas;

17 (B) Arkansas State Game and Fish Commission- owned lakes;

18 and

19 (C) State parks.

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21 /s/ Ledbetter

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