

HB 1716 -- MISSOURI INDOOR CLEAN AIR ACT

SPONSOR: Schupp

This bill repeals the Indoor Clean Air Act and establishes the Missouri Indoor Clean Air Act that prohibits smoking in specified facilities and 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, libraries, museums, banks, laundromats, professional offices, retail service establishments, at least 80% of hotel and motel rooms that are rented to guests, public transportation vehicles, restaurants, bars, shopping malls, retail stores, sports arenas, theaters;
- (3) Prohibits smoking in all enclosed facilities within places of employment without exception including, but not limited to, meeting rooms, employee lounges, private offices, and cafeterias;
- (4) Prohibits smoking within 15 feet outside of entrances, windows, and ventilation systems of enclosed areas where smoking is prohibited; bleachers and grandstands of outdoor arenas, stadiums, and amphitheaters; outdoor public transportation stations, platforms, and shelters; and outdoor playgrounds;
- (5) Exempts private residences with specified exceptions, tobacco retail stores, not more than 20% of hotel and motel rooms rented to guests and designated as smoking rooms, and certain outdoor areas of places of employment with specified exceptions from the provisions of the act;
- (6) Requires no smoking signs to be clearly and conspicuously posted and all ashtrays to be removed in an area where smoking is prohibited;
- (7) Prohibits any person or employer from discriminating, refusing to hire, or retaliating against any person who has exercised his or her rights under the provisions of the bill or reports or attempts to prosecute a violation of these provisions. Any person or employer who violates these provisions is guilty of a class A misdemeanor;
- (8) Specifies that the Department of Health and Senior Services or an authorized designee to enforce the provisions of the bill;

(9) Specifies that any person smoking in a prohibited area is guilty of an infraction and any person who owns or otherwise 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) Specifies that these provisions cannot prohibit a political subdivision or local school board from enacting more stringent ordinances or rules.

The bill becomes effective January 1, 2015.