

By Senator Webster

12-878A-00

See HB

1 A bill to be entitled
2 An act relating to the Florida Clean Indoor Air
3 Act; amending s. 386.205, F.S.; reducing the
4 percentage of seats required to be in an area
5 designated as a smoking area in restaurants;
6 amending s. 386.203, F.S., relating to the
7 definition of the term "public place" to remove
8 the size limitation; providing effective dates.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (4) of section 386.205, Florida
13 Statutes, is amended to read:

14 386.205 Designation of smoking areas.--

15 (4)(a) No more than one-half of the total square
16 footage in any public place, except for any restaurant, within
17 a single enclosed indoor area used for a common purpose shall
18 be reserved and designated as a smoking area.

19 (b) The square-footage limitation prescribed in
20 paragraph (a) does not apply to any restaurant subject to this
21 part. With respect to such restaurants:

22 1. No more than 50 percent of the seats existing in a
23 restaurant's dining room at any time shall be located in an
24 area designated as a smoking area.

25 2. Effective October 1, 2001, no more than 35 percent
26 of the seats existing in a restaurant's dining room at any
27 time shall be located in an area designated as a smoking area.

28 ~~This square footage limitation does not apply to restaurants~~
29 ~~as defined in s. 386.203(1)(p). However, such a restaurant~~
30 ~~must ensure that no more than 65 percent of the seats existing~~

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1 ~~in its dining room at any time are located in an area~~
2 ~~designated as a smoking area.~~

3 Section 2. Effective October 1, 2001, subsection (1)
4 of section 386.203, Florida Statutes, is amended to read:

5 386.203 Definitions.--As used in this part:

6 (1) "Public place" means the following enclosed,
7 indoor areas used by the general public:

8 (a) Government buildings;

9 (b) Public means of mass transportation and their
10 associated terminals not subject to federal smoking
11 regulation;

12 (c) Elevators;

13 (d) Hospitals;

14 (e) Nursing homes;

15 (f) Educational facilities;

16 (g) Public school buses;

17 (h) Libraries;

18 (i) Courtrooms;

19 (j) Jury waiting and deliberation rooms;

20 (k) Museums;

21 (l) Theaters;

22 (m) Auditoriums;

23 (n) Arenas;

24 (o) Recreational facilities;

25 (p) Restaurants ~~which seat more than 50 persons;~~

26 (q) Retail stores, except a retail store the primary
27 business of which is the sale of tobacco or tobacco related
28 products;

29 (r) Grocery stores;

30 (s) Places of employment;

31 (t) Health care facilities;

1 (u) Day care centers; and
2 (v) Common areas of retirement homes and condominiums.
3 Section 3. Except as otherwise provided in this act,
4 this act shall take effect October 1, 2000.

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7 LEGISLATIVE SUMMARY

8 Reduces the amount of seating for smoking areas in all
9 restaurants in the state. (See bill for details.)

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