

Bill No. HB 1757

Amendment No.      Barcode 290718

CHAMBER ACTION

Senate

House

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Senator Smith moved the following **amendment to amendment**  
(234900):

**Senate Amendment**

On page 3, line 10, through  
page 6, line 6, delete those lines

and insert:

(8) "Package store" means a workplace in which  
alcoholic beverages are sold only for consumption off the  
premises and which shares an entryway or common indoor area  
with a stand-alone bar.

(9) "Physical barrier" includes an uncovered opening,  
a screened or otherwise partially covered opening, or an open  
or closed window, jalousie, or door.

(10) "Public lodging establishment" has the same  
meaning ascribed in s. 509.013.

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

(a) Government buildings;

(b) Public means of mass transportation and their

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1 associated terminals not subject to federal smoking  
2 regulation;  
3 (c) Elevators;  
4 (d) Hospitals;  
5 (e) Nursing homes;  
6 (f) Educational facilities;  
7 (g) Public school buses;  
8 (h) Libraries;  
9 (i) Courtrooms;  
10 (j) Jury waiting and deliberation rooms;  
11 (k) Museums;  
12 (l) Theaters;  
13 (m) Auditoriums;  
14 (n) Arenas;  
15 (o) Recreational facilities;  
16 (p) Restaurants;  
17 (q) Retail stores, ~~except a retail store the primary~~  
18 ~~business of which is the sale of tobacco or tobacco related~~  
19 ~~products;~~  
20 (r) Grocery stores;  
21 (s) Buildings that contain an enclosed indoor  
22 workplace ~~Places of employment;~~  
23 (t) Health care facilities;  
24 (u) Day care centers; and  
25 (v) Common areas of retirement homes and condominiums.  
26 ~~(2) "Government building" means any building or any~~  
27 ~~portion of any building owned by or leased to the state or any~~  
28 ~~political subdivision thereof and used for governmental~~  
29 ~~purposes.~~  
30 ~~(12)(3)~~ "Public meeting" means all meetings open to  
31 the public, including meetings of homeowner, condominium, or

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1 renter or tenant associations unless such meetings are held in  
2 a private residence.

3 (13) "Second-hand smoke" means smoke emitted from  
4 lighted, smoldering, or burning tobacco when the smoker is not  
5 inhaling; smoke emitted at the mouthpiece during puff drawing;  
6 and smoke exhaled by the smoker.

7 (14)(4) "Smoking" means inhaling, exhaling, burning,  
8 carrying, or possessing a lighted tobacco product, including  
9 cigarettes, cigars, pipe tobacco possession of a lighted  
10 cigarette, lighted cigar, lighted pipe, or any other lighted  
11 tobacco product.

12 (15)(5) "Smoking area" means any designated area  
13 meeting the requirements of ss. 386.205 and 386.206.

14 (16) "Work" means performing an employment or  
15 employment-type service for, or at the request of, another  
16 person or a public or private entity, regardless of whether  
17 the employment or employment-type service is performed for  
18 compensation or on a full-time or part-time basis, whether  
19 legally or not. The term includes employment or  
20 employment-type service performed by an employee, independent  
21 contractor, agent, partner, proprietor, manager, officer,  
22 director, apprentice, trainee, associate, servant, volunteer,  
23 or similar person. The term applies to employment or  
24 employment-type service performed at any given time.

25 (17) "Workplace" means a room where one or more  
26 persons perform work. This section applies to all such  
27 workplaces without regard to whether work is occurring at any  
28 given time.

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