

## HOUSE MESSAGE SUMMARY

[h1757.hms]

BILL: HB 1757  
SPONSOR: Committee on Business Regulation and others  
SUBJECT: Fla. Clean Indoor Air Act  
PREPARED BY: Senate Committee on Regulated Industries  
DATE: May 2, 2003

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### **I. Amendments Contained in Message:**

Senate Amendment 105596.

### **II. Summary of Amendments Contained in Message:**

This Amendment implements the provisions of Amendment #6 dealing with smoking in the workplace by amending the current Florida Clean Indoor Air Act. It prohibits smoking in enclosed indoor workplaces except in certain places. It prohibits smoking in public places, except in designated smoking rooms in US customs areas in international airports. It requires negative pressure and independent ventilation system for smoking rooms in US customs areas of airports.

It prohibits smoking in restaurants, but would allow smoking in patio areas that are at least 75% open. It requires ventilation systems for covered patio smoking areas.

It provides for the incidental sale of food in stand-alone bars up to 12% of their revenue.

It prohibits smoking within 10 feet of an entryway and ventilating intakes. It allows smoking for charitable, nonprofit and veterans groups when they are engaged exclusively in social and recreational activities.

It permits smoking in certain workplaces including:

- research facilities for cancer research and stop smoking programs;
- private residences; when not being used commercially;
- retail tobacco shops, including tobacco manufacturing facilities;
- designated guest rooms;
- stand-alone bars;
- when an integral part of theatrical or film performances.

It substantially increases the penalties of the Florida Clean Indoor Air Act to a minimum fine of \$500 and a maximum of \$1000 for the first violation and a minimum fine of \$1000 and a maximum of \$2500 for each subsequent violation. Enforcement is essentially the same as under the current Clean Indoor Air Act. The Department of Business and Professional Regulation and Department of Health would be responsible for enforcement. It provides a severability clause.