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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/15/2022	.	
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The Committee on Rules (Hutson) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 23 - 41  
and insert:

386.209 Regulation of smoking preempted to state.—This part expressly preempts regulation of smoking to the state and supersedes any county or municipal ~~municipal or county~~ ordinance on the subject; however:

(1) (a) Counties and municipalities may further restrict smoking within the boundaries of any public beaches or public parks that they own, except with regard to the smoking of cigars



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12 that do not contain a filter or a plastic tip or the smoking of  
13 pipe tobacco in a pipe.

14 (b) Municipalities may further restrict smoking within the  
15 boundaries of any public beaches or public parks that are within  
16 their jurisdiction but are owned by the county if doing so would  
17 not conflict with a county ordinance, except that they may not  
18 further restrict the smoking of cigars that do not contain a  
19 filter or plastic tip or the smoking of pipe tobacco in a pipe.

20 (c) If a county or municipality restricts smoking within  
21 the boundaries of any public beach or public park under this  
22 subsection, any related signage installed must clarify that the  
23 restriction does not apply to the smoking of cigars that do not  
24 contain a filter or a plastic tip or to the smoking of pipe  
25 tobacco in a pipe.

26 (2) School districts may further restrict smoking by  
27 persons on school district property.

28 (3) This section does not preclude the adoption of county  
29 or municipal ~~municipal or county~~ ordinances that impose more  
30 restrictive regulation on the use of vapor-generating devices  
31 than is provided in this part.

32  
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Delete line 8

36 and insert:

37 under certain circumstances, with exceptions;  
38 requiring that any signs installed in relation to such  
39 restrictions include certain clarifying information;  
40 amending