

Regular Session, 2010

SENATE BILL NO. 348

BY SENATOR MARIONNEAUX

ENVIRONMENTAL CONTROL. Removes certain exemptions to the general prohibition of smoking in public places. (8/15/10)

1 AN ACT
2 To repeal R.S. 40:1300.256(B)(5) and (8), relative to prohibiting smoking in certain places;
3 to provide for the removal of certain exemptions; and to provide for related matters.
4 Be it enacted by the Legislature of Louisiana:
5 Section 1. R.S. 40:1300.256(B)(5) and (8) are hereby repealed in their entirety.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Greg Waddell.

DIGEST

Present law provides that no person shall:

- (1) Smoke in any public building.
- (2) Smoke in any school.
- (3) Smoke in any public place and in any enclosed area within a place of employment.
- (4) As an employer, knowingly permit smoking in any enclosed area within a place of employment.

Proposed law retains present law.

Present law provides for exceptions to general smoking prohibition for certain places which include but are not limited to the following places:

- (1) Any bar.

- (2) Designated smoking areas in which gaming operations are permitted to occur upon a riverboat, at the official gaming establishment, at a facility licensed for the operation of electronic video draw poker devices, at an eligible facility licensed for the operation of slot machines, by a licensed charitable organization, or at a pari-mutuel wagering facility or off-track wagering facility which is licensed for operation and regulated under the provisions of present law, or any other gaming operations authorized by law, except that smoking shall be prohibited in all restaurants, including snack bars and any other type of eating area whether or not such area is separated from the gaming area, that are located within the facilities where gaming operations are conducted regardless of any type of license issued relevant to the operation of the restaurant.

Proposed law repeals the provisions which exempt bar and certain gaming establishments from the general smoking prohibition.

Effective August 15, 2010.

(Repeals R.S. 40:1300.256(B)(5) and (8))