

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1008 be amended to read as follows:

- 1 Page 24, between lines 27 and 28, begin a new paragraph and insert:
- 2 "SECTION 24. IC 16-41-37-2.1 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2007]: **Sec. 2.1. As used in this section,**
- 5 **"public place" means an area where the public is invited or where**
- 6 **the public is permitted. The term does not include a private**
- 7 **residence or private vehicle.**
- 8 SECTION 25. IC 16-41-37-4 IS AMENDED TO READ AS
- 9 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. A person who
- 10 smokes:
- 11 (1) in a public ~~building~~, ~~except in an area designated as a smoking~~
- 12 ~~area under section 5 of this chapter;~~
- 13 (2) in the retail area of a grocery store or drug store that is
- 14 designated as a nonsmoking area by the store's proprietor;
- 15 (3) in the dining area of a restaurant that is designated and posted
- 16 as the restaurant's nonsmoking area by the restaurant's proprietor;
- 17 **or place; or**
- 18 ~~(4)~~ (2) in a school bus during a school week or while the school
- 19 bus is being used for a purpose described in section 2.3(3) of this
- 20 chapter;
- 21 commits a Class B infraction. However, the violation is a Class A
- 22 infraction if the person has at least three (3) previous unrelated
- 23 judgments for violating this section that are accrued within the twelve
- 24 (12) months immediately preceding the violation.

1 SECTION 26. IC 16-41-37-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. ~~(a)~~ The official in
3 charge of a public building shall do the following:

4 ~~(1)~~ **(1)** Post conspicuous signs that read "Smoking Is Prohibited By
5 State Law Except In Designated Smoking Areas" or other similar
6 language.

7 ~~(2)~~ **(1)** Request persons who are smoking in violation of section
8 4 of this chapter to refrain from smoking.

9 ~~(3)~~ **(2)** Remove a person who is smoking in violation of section 4
10 of this chapter and fails to refrain from smoking after being
11 requested to do so.

12 ~~(b) The proprietor of a restaurant shall, under sections 4 and 5 of~~
13 ~~this chapter, post conspicuous signs at each entrance to the restaurant,~~
14 ~~informing the public of the establishment's smoking policy."~~

15 Page 34, between lines 17 and 18, begin a new paragraph and insert:
16 "SECTION 34. THE FOLLOWING ARE REPEALED
17 [EFFECTIVE JULY 1, 2007]: IC 16-18-2-318.1; IC 16-41-37-3.1;
18 IC 16-41-37-5; IC 16-41-37-7; IC 16-41-37-8."

19 Renumber all SECTIONS consecutively.

(Reference is to HB 1008 as printed February 16, 2007.)

Representative Walorski