

HOUSE BILL No. 1297

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-41-37-4.

Synopsis: Nonsmoking areas in restaurants. Requires the operator of a restaurant that permits a person who is less than 21 years of age to enter the restaurant to designate more than half of the dining area as a nonsmoking area.

Effective: July 1, 2007.

Smith V, Brown C

January 16, 2007, read first time and referred to Committee on Public Health.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

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HOUSE BILL No. 1297



A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-41-37-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. **(a)** A person who
3 smokes:
4 (1) in a public building, except in an area designated as a smoking
5 area under section 5 of this chapter;
6 (2) in the retail area of a grocery store or drug store that is
7 designated as a nonsmoking area by the store's proprietor;
8 (3) in the dining area of a restaurant that is designated and posted
9 as the restaurant's nonsmoking area by the restaurant's proprietor;
10 or
11 (4) in a school bus during a school week or while the school bus
12 is being used for a purpose described in section 2.3(3) of this
13 chapter;
14 commits a Class B infraction. However, the violation is a Class A
15 infraction if the person has at least three (3) previous unrelated
16 judgments for violating this section that are accrued within the twelve
17 (12) months immediately preceding the violation.



1 **(b) The operator of a restaurant that permits a person who is**
2 **less than twenty-one (21) years of age to enter the restaurant must**
3 **designate more than one-half (1/2) of the dining area as a**
4 **nonsmoking area.**

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