

HOUSE BILL No. 2262

By Representative Powers

2-1

AN ACT concerning smoking in public places; requiring smokers to take it outside; amending K.S.A. 21-4010 and 21-4012 and repealing the existing sections; also repealing K.S.A. 21-4011 and 21-4013.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 21-4010 is hereby amended to read as follows: 21-4010. ~~(a) No person shall smoke in a public place or at a public meeting except in designated smoking areas.~~

~~(b) Smoking areas may be designated by proprietors or other persons in charge of public places, except in passenger elevators, school buses, public means of mass transportation and any other place in which smoking is prohibited by the fire marshal or by other law, ordinance or regulation.~~

~~(c) Where smoking areas are designated, existing physical barriers and ventilation systems shall be used to minimize the toxic effect of smoke in adjacent nonsmoking areas.~~

Sec. 2. K.S.A. 21-4012 is hereby amended to read as follows: 21-4012. Any person found guilty of smoking in violation of this act is guilty of a misdemeanor punishable by a fine of not more than \$20 for each violation. ~~Any person found guilty of failing to post signs as required by this act, is guilty of a misdemeanor punishable by a fine of not more than \$50.~~ In addition, the department of health and environment, or local department of health, may institute an action in any court of competent jurisdiction to enjoin repeated violations of this act.

Sec. 3. K.S.A. 21-4010, 21-4011, 21-4012 and 21-4013 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.