

Senate Bill 488

Sponsored by COMMITTEE ON JUDICIARY (at the request of Michael Kesten)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits smoking within 75 feet of entrance to public place.

A BILL FOR AN ACT

Relating to smoking; amending ORS 433.845 and 433.850.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 433.845 is amended to read:

433.845. *[No person shall]* **A person may not** smoke or carry any lighted smoking instrument in a public place, **or within 75 feet of the entrance to a public place**, except in areas designated as smoking areas pursuant to ORS 433.850. Smoking is prohibited in a room during the time that jurors are required to use the room.

SECTION 2. ORS 433.850 is amended to read:

433.850. (1) Except as provided in subsection (2) of this section, an employer shall provide a place of employment that is free of tobacco smoke for all employees.

(2) The following areas are not subject to the smoking restrictions in subsection (1) of this section:

(a) Retail businesses primarily engaged in the sale of tobacco or tobacco products.

(b) Restaurants posted as off-limits to minors or areas of restaurants posted as off-limits to minors under rules adopted by the Oregon Liquor Control Commission.

(c) Bars or taverns posted as off-limits to minors under rules adopted by the Oregon Liquor Control Commission.

(d) Rooms or halls being used by a charitable, fraternal or religious organization to conduct bingo games under a license issued pursuant to ORS 464.270.

(e) Bowling centers.

(f) Rooms designated by the owner or person in charge of a hotel or motel as rooms in which smoking is permitted.

(g) Employee lounges designated by an employer for smoking if:

(A) The lounge is not accessible to minors;

(B) The air in the lounge is exhausted directly to the outside by an exhaust fan and not recirculated to other parts of the building;

(C) The lounge is in compliance with ventilation standards established by rule by the Department of Human Services;

(D) The lounge is located in a nonwork area where no employee is required to enter as part of the employee's work responsibilities. For purposes of this paragraph, "work responsibilities" does not include custodial or maintenance work carried out in a lounge when it is unoccupied; and

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (E) There are sufficient nonsmoking lounges to accommodate nonsmokers.

2 (3) An employer, except in those places described in subsection (2) of this section, shall post
3 appropriate signs.

4 (4) **An employer may not designate an area for smoking under subsection (2) of this**
5 **section if the area is within 75 feet of an entrance to a public place.**

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