

House Bill 3219

Sponsored by Representatives CAMERON, SCHAUFLEER; Representative WHISNANT (at the request of Oregon Lodging Association)

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**.

Describes method by which owner or person in charge of hotel or motel may comply with requirement to post signs giving notice of smoking laws.

A BILL FOR AN ACT

1
2 Relating to smoking; amending ORS 433.850.

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

4 **SECTION 1.** ORS 433.850, as amended by section 4, chapter 602, Oregon Laws 2007, is amended
5 to read:

6 433.850. (1) An employer shall provide a place of employment that is free of tobacco smoke for
7 all employees.

8 (2) Notwithstanding subsection (1) of this section:

9 (a) The owner or person in charge of a hotel or motel may designate up to 25 percent of the
10 sleeping rooms of the hotel or motel as rooms in which smoking is permitted.

11 (b) Smoking of noncommercial tobacco products for ceremonial purposes is permitted in spaces
12 designated for traditional ceremonies in accordance with the American Indian Religious Freedom
13 Act, 42 U.S.C. 1996.

14 (c) Smoking is permitted in a smoke shop.

15 (d) Smoking is permitted in a cigar bar that generated on-site retail sales of cigars of at least
16 \$5,000 for the calendar year ending December 31, 2006.

17 (3)(a) An employer, except in those places described in subsection (2) of this section, shall post
18 signs that provide notice of the provisions of ORS 433.835 to 433.875.

19 **(b) The owner or person in charge of a hotel or motel complies with paragraph (a) of this
20 subsection if the owner or person in charge:**

21 **(A) Posts signs that provide notice of the provisions of ORS 433.835 to 433.875 at the main
22 entrance to the hotel or motel;**

23 **(B) Notifies a guest of the provisions of ORS 433.835 to 433.875 and the smoking status
24 of the guest's room when the guest checks in to the hotel or motel; and**

25 **(C) Establishes policies to deter unlawful smoking on the premises of the hotel or motel.**
26

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.