

26-38-3 Restriction on smoking in public places and in specified places -- Exceptions.

- (1) Except as provided in Subsection (2), smoking is prohibited in all enclosed indoor places of public access and publicly owned buildings and offices.
- (2) Subsection (1) does not apply to:
 - (a) areas not commonly open to the public of owner-operated businesses having no employees other than the owner-operator;
 - (b) guest rooms in hotels, motels, "bed and breakfast" lodging facilities, and other similar lodging facilities, but smoking is prohibited under Subsection (1) in the common areas of these facilities, including dining areas and lobby areas; and
 - (c) separate enclosed smoking areas:
 - (i) located in the passenger terminals of an international airport located in the city of the first class;
 - (ii) vented directly to the outdoors; and
 - (iii) certified, by a heating, ventilation, and air conditioning engineer licensed by the state, to prevent the drift of any smoke to any nonsmoking area of the terminal.

Amended by Chapter 383, 2009 General Session