

S.B. 19

AMENDMENTS TO INDOOR CLEAN AIR ACT

Representative CURTIS ODA proposes the following amendments:

1. Page 1, Lines 9 through 11:

9 This bill amends the Indoor Clean Air Act {~~to extend smoking prohibitions to taverns,~~
10 ~~private clubs, buildings owned or operated by social and fraternal organizations, and~~
11 ~~certain nonpublic workplaces~~} .

2. Page 1, Lines 16 through 25:

16 • taverns after a certain date ; and
17 • certain private clubs {↔;
18 ~~buildings owned or operated by social or fraternal organizations; and~~
19 ~~certain workplaces;~~
20 ~~removes the exceptions from the Indoor Clean Air Act for taverns, private clubs,~~
21 ~~buildings owned or operated by social or fraternal organizations, and certain~~
22 ~~workplaces without public access;~~
23 ~~repeals the "grandfathering provisions" for private clubs and public places that are~~
24 ~~adjoined; and~~
25 ~~repeals the provision that permits smoking in certain nonpublic workplaces~~} .

3. Page 2, Lines 34 through 36:

34 {~~REPEALS:~~
35 ~~26-38-4, as enacted by Chapter 281, Laws of Utah 1994~~
36 ~~26-38-5, as enacted by Chapter 281, Laws of Utah 1994~~}

4. Page 3, Lines 65 through 72:

65 (l) {~~any building owned, rented, leased, or otherwise operated by a social, fraternal, or~~
66 ~~religious organization when used solely by the organization members or their guests or~~
67 ~~families;~~
68 ~~(m) any facility rented or leased for private functions from which the general public is~~
69 ~~excluded and arrangements for the function are under the control of the function sponsor;~~
70 ~~(n) any workplace that is not a place of public access or a publicly owned building or~~
71 ~~office but has one or more employees who are not owner-operators of the business;~~

72 ~~[(b)(6)]~~ any area where the proprietor or manager of the area has posted a conspicuous

5. Page 3, Lines 74 through 75:

74 [(2) "~~Private club~~" means a] ~~{(p)}~~ (m) any private club licensed under Title 32A, Chapter 5,
75 Private Club Liquor Licenses.

6. Page 3, Line 87 through Page 4, Line 101:

87 (2) Subsection (1) does not apply to:

88 ~~{+}~~ (a) (i) any building owned, rented, leased, or otherwise operated by a social, fraternal,
89 or religious organization when used solely by the organization members or their guests or
90 families; or]

91 [(ii) any facility rented or leased for private functions from which the general public is
92 excluded and arrangements for the function are under the control of the function sponsor;]

93 [(b) workplace smoking areas as provided in Section 26-38-5; ~~{+}~~

94 ~~{+}~~ (c) ~~{+}~~ ~~{(a)}~~ areas not commonly open to the public of owner-operated businesses
having

95 no employees other than the owner-operator;

96 ~~{+}~~ (d) ~~{+}~~ ~~{(b)}~~ guest rooms in hotels, motels, "bed and breakfast" lodging facilities, and
other

97 similar lodging facilities, but smoking is prohibited under Subsection (1) in the common areas
98 of these facilities, including dining areas and lobby areas; and

99 ~~{+}~~ (e) taverns, as defined in Section 32A-1-105 ,that are licensed on or before May 15, 2006,
until January 1, 2010, after which date, smoking is prohibited in all taverns ; ~~{+}~~

100 ~~{+}~~ (f) class A, B, and D private clubs ,as defined in Sections 32A-5-101, but not class C
fine dining private clubs ; and ~~{+}~~

101 ~~{+}~~ (g) ~~{+}~~ ~~{(c)}~~ separate enclosed smoking areas:

7. Page 4, Lines 107 through 111:

107 {~~Section 3. Repealer.~~

108 ~~This bill repeals:~~

109 ~~Section 26-38-4, Adjoining private clubs and public places -- Grandfather~~
110 ~~provisions.~~

111 ~~Section 26-38-5, Nonpublic workplaces -- Smoking restrictions. }~~