

1 **SMOKING IN PUBLIC PLACES AMENDMENTS**

2 2016 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Evan J. Vickers**

5 House Sponsor: Bradley G. Last

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**LONG TITLE**

7 **General Description:**

8 This bill modifies provisions of the Utah Indoor Clean Air Act.

9 **Highlighted Provisions:**

10 This bill:

11 ▶ removes certain smoking prohibition exceptions for an international airport  
12 passenger terminal.

13 **Money Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 None

17 **Utah Code Sections Affected:**

18 AMENDS:

19 **26-38-3**, as last amended by Laws of Utah 2009, Chapter 383

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*Be it enacted by the Legislature of the state of Utah:*

21 Section 1. Section **26-38-3** is amended to read:

22 **26-38-3. Restriction on smoking in public places.**

23 (1) Except as provided in Subsection (2), smoking is prohibited in all enclosed indoor  
24 places of public access and publicly owned buildings and offices.

25 (2) Subsection (1) does not apply to:  
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27



28 (a) areas not commonly open to the public of owner-operated businesses having no  
29 employees other than the owner-operator; and

30 (b) guest rooms in hotels, motels, "bed and breakfast" lodging facilities, and other  
31 similar lodging facilities, but smoking is prohibited under Subsection (1) in the common areas  
32 of these facilities, including dining areas and lobby areas~~;~~and].

33 [~~(c) separate enclosed smoking areas;~~]

34 [~~(i) located in the passenger terminals of an international airport located in the city of  
35 the first class;~~]

36 [~~(ii) vented directly to the outdoors; and~~]

37 [~~(iii) certified, by a heating, ventilation, and air conditioning engineer licensed by the  
38 state, to prevent the drift of any smoke to any nonsmoking area of the terminal.]~~]

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**