An Act To Allow Eating Establishments To Permit Smoking Tobacco in Designated Outdoor Eating Areas

Reference to the Committee on Health and Human Services suggested and ordered printed.

Presented by Representative ANDREWS of Paris.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §1542, sub-§2, ¶O is enacted to read:

O. Smoking tobacco is not prohibited in a designated outdoor eating area under section 1550, subsection 4.

Sec. 2. 22 MRSA §1550, sub-§2, as enacted by PL 2009, c. 140, §2, is amended to read:

2. Smoking prohibited. Except for a designated outdoor eating area under subsection 4, smoking is prohibited in an outdoor eating area if the outdoor eating area or any portion thereof is open and available for dining and beverage service.

Sec. 3. 22 MRSA §1550, sub-§4 is enacted to read:

4. Smoking permitted. An eating establishment may permit smoking tobacco in a designated outdoor eating area if no one under 21 years of age is permitted in the designated outdoor eating area.

SUMMARY

This bill allows an eating establishment to permit smoking tobacco in a designated outdoor eating area if no one under 21 years of age is allowed in the designated outdoor eating area.