

HOUSE BILL NO. 1213

Introduced by

Representatives Kingsbury, Kaldor, Metcalf, Nottestad

Senators Kilzer, Nelson

1 A BILL for an Act to amend and reenact section 23-12-10 of the North Dakota Century Code,
2 relating to smoking restrictions in public places and places of employment.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 23-12-10 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **23-12-10. Smoking restrictions - Exceptions - Retaliation - Application.**

- 7 1. In order to protect the public health and welfare and to recognize the need for
8 individuals to breathe smoke-free air, smoking is prohibited in all enclosed areas
9 of:
- 10 a. Public places; and
 - 11 b. Places of employment.
- 12 2. The following areas are exempt from subsection 1:
- 13 a. Private residences, except when operating as a child care facility subject to
14 licensure by the department of human services and when any child cared for
15 under that license is present in that facility.
 - 16 b. ~~Hotel and motel rooms, and other places of lodging, that are rented to guests~~
17 ~~and are designated as smoking rooms.~~
 - 18 e. Retail tobacco stores, provided that smoke from these places does not
19 infiltrate into areas where smoking is prohibited under this section.
 - 20 e. c. Outdoor areas of places of employment, except a sports arena.
 - 21 e. d. Any area that is not commonly accessible to the public and which is part of an
22 owner-operated business having no employee other than the owner-operator.
 - 23 f. ~~Bars.~~

