

JAN 28 2002

HUMAN RESOURCES

HOUSE FILE 2128  
BY SHOULTZ

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to smoking regulations relative to an alcoholic  
2 beverages bar or bar area within a public place.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2128

1 Section 1. Section 142B.1, subsection 1, Code 2001, is  
2 amended to read as follows:

3 1. "Bar" means an establishment or a separate portion of  
4 an establishment where one can purchase and consume alcoholic  
5 beverages as defined in section 123.3, subsection 4, but  
6 excluding any establishment ~~or-portion-of-the-establishment~~  
7 having table and seating facilities ~~for-serving-of-meals-to~~  
8 ~~more-than-fifty-people-at-one-time-and~~ where, in consideration  
9 of payment, meals are served ~~at-tables~~ to the public.

10 Sec. 2. Section 142B.2, subsection 3, unnumbered paragraph  
11 1, Code 2001, is amended to read as follows:

12 Where smoking areas are designated, existing physical  
13 barriers and existing ventilation systems shall be used to  
14 minimize the toxic effect of smoke in adjacent nonsmoking  
15 areas. In the case of public places consisting of a single  
16 room, the provisions of this law shall be considered met if  
17 one side of the room is reserved and posted as a no-smoking  
18 area. No A public place other than a bar shall not be  
19 designated as a smoking area in its entirety. If a bar has  
20 within its premises a nonsmoking area, this designation shall  
21 be posted on all entrances normally used by the public. If an  
22 establishment has tables and seating facilities at which, in  
23 consideration of payment meals are served to the public, and  
24 also has a separate portion of the establishment designated  
25 solely for the purchase and consumption of alcoholic beverages  
26 as defined in section 123.3, subsection 4, the only portion of  
27 the establishment that may be designated as a smoking area is  
28 that separate portion of the establishment.

29 EXPLANATION

30 This bill provides that an establishment, regardless of  
31 size of the establishment, having table and seating facilities  
32 at which, in consideration of payment meals are served to the  
33 public, is not considered a "bar" for the purposes of Code  
34 chapter 142B (smoking prohibitions). The bill also provides  
35 that if an establishment provides table and seating facilities

1 at which meals are served for consideration to the public and  
2 also has a separate portion designated solely for the purchase  
3 and consumption of alcoholic beverages, the only portion of  
4 the establishment that may be designated as a smoking area is  
5 that separate portion of the establishment.

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