

FILED JAN 10 2005

SENATE FILE 1 STATE GOVERNMENT
BY McCOY

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the prohibition of smoking in restaurants, and
2 making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 1
STATE GOVERNMENT

1 Section 1. Section 142B.1, subsections 1 and 3, Code 2005,
2 are amended to read as follows:

3 1. "Bar" means an establishment or portion of an
4 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 3. "Public place" means any enclosed indoor area used by
11 the general public or serving as a place of work containing
12 two hundred fifty or more square feet of floor space,
13 including, but not limited to, all restaurants with-a
14 notwithstanding seating capacity greater-than-fifty or square
15 feet of floor space, all retail stores, lobbies and malls,
16 offices, including waiting rooms, and other commercial
17 establishments; public conveyances with departures, travel,
18 and destination entirely within this state; educational
19 facilities; hospitals, clinics, nursing homes, and other
20 health care and medical facilities; and auditoriums,
21 elevators, theaters, libraries, art museums, concert halls,
22 indoor arenas, and meeting rooms. "Public place" does not
23 include a retail store at which fifty percent or more of the
24 sales result from the sale of tobacco or tobacco products, the
25 portion of a retail store where tobacco or tobacco products
26 are sold, a private, enclosed office occupied exclusively by
27 smokers even though the office may be visited by nonsmokers, a
28 room used primarily as the residence of students or other
29 persons at an educational facility, a sleeping room in a motel
30 or hotel, or each resident's room in a health care facility.
31 The person in custody or control of the facility shall provide
32 a sufficient number of rooms in which smoking is not permitted
33 to accommodate all persons who desire such rooms.

34 Sec. 2. Section 142B.2, subsection 4, Code 2005, is
35 amended to read as follows:

