

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 1133*
Committee Substitute Favorable 5/2/05
Senate Health Care Committee Substitute Adopted 6/14/06

Short Title: Designate General Assembly Bldgs Nonsmoking. (Public)

Sponsors:

Referred to:

April 6, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO DESIGNATE ALL AREAS OF ANY BUILDING OCCUPIED BY THE
3 GENERAL ASSEMBLY AS NONSMOKING AREAS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 143-597 reads as rewritten:

6 **"§ 143-597. Nonsmoking areas in State-controlled buildings.**

7 (a) All of the following areas may be designated as nonsmoking in buildings
8 owned, leased, or occupied by State government:

- 9 (1) Any library open to the public.
- 10 (2) Any museum open to the public.
- 11 (3) Any area established as a nonsmoking area, so long as at least twenty
12 percent (20%) of the interior space of equal quality to that of the
13 nonsmoking area shall be designated as a smoking area, unless
14 physically impracticable. If physically impracticable, the person in
15 charge of the facility shall provide an adequate smoking area within
16 the facility as near as feasible to twenty percent (20%) of the interior
17 space.
- 18 (4) Any indoor space in a State-controlled building such as an auditorium,
19 arena, or coliseum, or an appurtenant building thereof; except that a
20 designated area for smoking shall be established in lobby areas.
- 21 (5) Any educational buildings primarily involved in health care
22 instruction.
- 23 (6) University of North Carolina health services facilities, wellness
24 centers, enclosed physical education facilities, enclosed student
25 recreational centers, laboratories, or residence halls, provided that each
26 constituent institution shall make a reasonable effort to provide
27 residential smoking rooms in residence halls in proportion to student
28 demand for those rooms.

1 (a1) All areas of any building occupied by the General Assembly shall be
2 designated as nonsmoking areas.

3 (b) Any area designated as nonsmoking or smoking shall be established by the
4 appropriate department, institution, agency, or person in charge of the State-controlled
5 building or ~~area.~~ area, except as specified in subsection (a1). The person in charge of the
6 building shall conspicuously post or cause to be posted, in any area designated as a
7 smoking or nonsmoking area, one or more signs stating that smoking is or is not
8 permitted in the area.

9 (c) Where a nonsmoking area is designated, existing physical barriers and
10 ventilation systems shall be used where appropriate to minimize smoke from adjacent
11 areas. This subsection shall not be construed to require fixed structural or other physical
12 modification in providing these areas or to require installation or operation of any
13 heating, ventilating, or air-conditioning system in any manner which adds expense."

14 **SECTION 2.** This act is effective when it becomes law.