

1 (6) "State government" means the political unit for the State of North
2 Carolina; including all agencies of the executive, judicial, and
3 legislative branches of government.

4 (*) 'Grounds' means the area located within 100 linear feet of a building
5 owned, leased, or occupied by the State."

6 **SECTION 2.** G.S. 143-597 reads as rewritten:

7 **"§ 143-597. Nonsmoking areas in State-controlled buildings.**

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

10 (1) Any library open to the public.

11 (2) Any museum open to the public.

12 (3) Any area established as a nonsmoking area, so long as at least twenty
13 percent (20%) of the interior space of equal quality to that of the
14 nonsmoking area shall be designated as a smoking area, unless
15 physically impracticable. If physically impracticable, the person in
16 charge of the facility shall provide an adequate smoking area within
17 the facility as near as feasible to twenty percent (20%) of the interior
18 space.

19 (4) Any indoor space in a State-controlled building such as an auditorium,
20 arena, or coliseum, or an appurtenant building thereof; except that a
21 designated area for smoking shall be established in lobby areas.

22 (5) Any educational buildings primarily involved in health care
23 ~~instruction~~instruction and the grounds of those buildings.

24 (6) Facilities of The University of North Carolina ~~health services~~
25 ~~facilities, wellness centers, enclosed physical education facilities,~~
26 ~~enclosed student recreational centers, laboratories, or residence~~
27 ~~halls,~~and the grounds of any of those facilities, provided that each
28 constituent institution shall make a reasonable effort to provide
29 residential smoking rooms in residence halls in proportion to
30 student demand for those rooms.

31 (7) **(Effective July 1, 2007)** The North Carolina School of Science and
32 Mathematics.

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

35 (b) Any area designated as nonsmoking or smoking shall be established by the
36 appropriate department, institution, agency, or person in charge of the State-controlled
37 building or area, except as specified in subsection (a1). The person in charge of the
38 building shall conspicuously post or cause to be posted, in any area designated as a
39 smoking or nonsmoking area, one or more signs stating that smoking is or is not
40 permitted in the area.

41 (c) Where a nonsmoking area is designated, existing physical barriers and
42 ventilation systems shall be used where appropriate to minimize smoke from adjacent
43 areas. This subsection shall not be construed to require fixed structural or other physical

1 modification in providing these areas or to require installation or operation of any
2 heating, ventilating, or air-conditioning system in any manner which adds expense."

3 **SECTION 3.** G.S. 143-599 reads as rewritten:

4 **"§ 143-599. Exemptions.**

5 All of the following facilities shall be exempt from the provisions of this Article:

- 6 (1) Any primary or secondary school or child care center, except for a
7 teacher's lounge.
- 8 (2) An enclosed elevator.
- 9 (3) Public school bus.
- 10 (4) Hospital, nursing home, rest home, and State facility operated under
11 the authority of G.S. 122C-181.
- 12 (5) Local health department and local department of social services and
13 the building and grounds where the local health department or local
14 department of social services, as applicable, is located. For the
15 purposes of this subdivision, "grounds" means the area located within
16 50 linear feet of a local health department or a local department of
17 social services.
- 18 (6) Any nonprofit organization or corporation whose primary purpose is to
19 discourage the use of tobacco products by the general public.
- 20 (7) Tobacco manufacturing, processing, and administrative facilities.
- 21 (8) Indoor arenas with a seating capacity greater than 23,000.
- 22 (9) State correctional facilities operated by the Department of Correction.
- 23 (10) Community colleges.
- 24 (11) The facilities, grounds, and walkways of the University of North
25 Carolina Health Care System and of the East Carolina University
26 School of Medicine, Health Sciences Complex, and Medical Faculty
27 Practice Plan."

28 **SECTION 4.** This act is effective when it becomes law.