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To: Public Health and  
Welfare

HOUSE BILL NO. 550

1 AN ACT TO PROHIBIT SMOKING IN STATE OFFICE BUILDINGS; TO  
2 PROVIDE CIVIL PENALTIES FOR VIOLATIONS OF THE ACT; AND FOR RELATED  
3 PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. (1) As used in this section:

6 (a) "Smoke" or "smoking" means inhaling, exhaling,  
7 burning, carrying or otherwise possessing any lighted cigarette,  
8 cigar, pipe or any other object or device of any form that  
9 contains lighted tobacco or any other smoking product.

10 (b) "State office building" means the New State Capitol  
11 Building, the Woolfolk State Office Building, the Carroll Gartin  
12 Justice Building, the Walter Sillers Office Building, the Heber  
13 Ladner Building, the Robert E. Lee Office Building, the 301 Lamar  
14 Street Building, the State Board of Health Building, the Public  
15 Employees' Retirement System Building, the Central High Building,  
16 the Court of Appeals Building, the War Veterans' Memorial  
17 Building, the State Archives Building, the Ike Sanford Veterans  
18 Affairs Building, the Burroughs Building, the Old State Capitol  
19 Building, the Mayfair Building, 101 Capitol Centre and any other  
20 facility in the state that is owned or leased by the State of  
21 Mississippi or any agency, department or institution of the state

22 and that is used for housing state employees during the time of  
23 performance of their regular duties for the state. If only part  
24 of a facility is leased by the state or an agency, department or  
25 institution of the state, only the leased part of the facility  
26 will be considered to be a state office building for the purposes  
27 of this definition.

28 (2) No person shall smoke in any state office building.

29 (3) The person, agency or entity having jurisdiction or  
30 supervision over a state office building shall not permit smoking  
31 in the state office building and shall use reasonable efforts to  
32 prevent smoking in the state office building, including, but not  
33 limited to, the following:

34 (a) Posting appropriate signs informing state  
35 employees, invitees, guests and other persons that smoking is  
36 prohibited in the state office building.

37 (b) Securing the removal of persons who smoke in the  
38 state office building.

39 (4) Under its regulatory authority, the State Department of  
40 Health shall periodically conduct inspections of state office  
41 buildings for compliance with this section.

42 (5) Any person who violates subsection (2) of this section  
43 shall be subject to a civil penalty of not more than One Hundred  
44 Dollars (\$100.00) for each violation.

45 (6) Any person, agency or entity having jurisdiction or  
46 supervision over a state office building that permits smoking in  
47 the state office building or fails to employ the efforts  
48 prescribed in subsection (3) of this section to prevent smoking in  
49 the state office building shall be subject to a civil penalty of  
50 not more than One Hundred Dollars (\$100.00) for each violation.

51 (7) This section expressly preempts to the state the  
52 regulation of smoking in state office buildings and supersedes any

53 municipal or county ordinance on the subject.

54 SECTION 2. This act shall take effect and be in force from  
55 and after July 1, 2000.