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To: Public Health and
Welfare

HOUSE BILL NO. 551
(As Passed the House)

1 AN ACT TO PROHIBIT SMOKING IN STATE OFFICE BUILDINGS EXCEPT
2 IN DESIGNATED SMOKING AREAS; AND FOR RELATED PURPOSES.

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

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

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

9 (b) "State office building" means the New State Capitol
10 Building, the Woolfolk State Office Building, the Carroll Gartin
11 Justice Building, the Walter Sillers Office Building, the Heber
12 Ladner Building, the Department of Transportation Building, the
13 Robert E. Lee Office Building, the 301 Lamar Street Building, the
14 State Board of Health Building, the Public Employees' Retirement
15 System Building, the Central High Building, the Court of Appeals
16 Building, the War Veterans' Memorial Building, the State Archives
17 Building, the Ike Sanford Veterans Affairs Building, the Old State
18 Capitol Building, the Burroughs Building, the Mayfair Building,
19 101 Capitol Centre and any other facility in the state that is
20 owned or leased by the State of Mississippi or any agency,
21 department or institution of the state and that is used for
22 housing state employees during the time of performance of their
23 regular duties for the state. If only part of a facility is
24 leased by the state or an agency, department or institution of the
25 state, only the leased part of the facility will be considered to
26 be a state office building for the purposes of this definition.

27 (2) No person shall smoke in any state office building
28 except in enclosed private offices and designated smoking areas.

29 (3) The person, agency or entity having jurisdiction or
30 supervision over a state office building shall:

31 (a) Designate the areas in the building that will be
32 designated smoking areas;

33 (b) Conspicuously display signs that designate both
34 smoking and nonsmoking areas, except that signs are not required
35 in private offices; and

36 (c) Make every reasonable effort to prevent designated
37 smoking areas from impinging upon nonsmoking areas by the use of
38 existing physical barriers and ventilation systems.

39 (4) The person, agency or entity having jurisdiction or
40 supervision over a state office building shall not allow smoking
41 in the state office building, except in enclosed private offices
42 and designated smoking areas, and shall use reasonable efforts to
43 prevent smoking in the state office building, except in enclosed
44 private offices and designated smoking areas, including, but not
45 limited to, the following:

46 (a) Posting appropriate signs informing state
47 employees, invitees, guests and other persons that smoking is
48 prohibited in the state office building, except in enclosed
49 private offices and designated smoking areas.

50 (b) Securing the removal of persons who smoke in the
51 state office building, except in enclosed private offices and
52 designated smoking areas.

53 (5) Under its regulatory authority, the State Department of
54 Health shall periodically conduct inspections of state office
55 buildings for compliance with this section.

56 (6) This section expressly preempts to the state the
57 regulation of smoking in state office buildings and supersedes any
58 municipal or county ordinance on the subject.

59 SECTION 2. This act shall take effect and be in force from

60 and after July 1, 2000.