

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 551

By Senator(s) Committee

4 **Amend by striking all after the enacting clause and inserting**
5 **in lieu thereof the following:**

6

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

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

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

27leased by the state or an agency, department or institution of the
28state, only the leased part of the facility will be considered to
29be a state office building for the purposes of this definition.

30 (2) No person shall smoke in any state office building
31except in enclosed private offices and designated smoking areas.

32 (3) The person, agency or entity having jurisdiction or
33supervision over a state office building shall:

34 (a) Designate the areas in the building that will be
35designated smoking areas;

36 (b) Conspicuously display signs that designate both
37smoking and nonsmoking areas, except that signs are not required
38in private offices; and

39 (c) Make every reasonable effort to prevent designated
40smoking areas from impinging upon nonsmoking areas by the use of
41existing physical barriers and ventilation systems. Provided,
42however, that the Mississippi Department of Archives and History
43shall not be required to designate smoking areas in any building
44under its jurisdiction.

45 (4) The person, agency or entity having jurisdiction or
46supervision over a state office building shall not allow smoking
47in the state office building, except in enclosed private offices
48and designated smoking areas, and shall use reasonable efforts to
49prevent smoking in the state office building, except in enclosed
50private offices and designated smoking areas, including, but not
51limited to, the following:

52 (a) Posting appropriate signs informing state
53employees, invitees, guests and other persons that smoking is
54prohibited in the state office building, except in enclosed
55private offices and designated smoking areas.

56 (b) Securing the removal of persons who smoke in the
57state office building, except in enclosed private offices and
58designated smoking areas.

59 (5) Under its regulatory authority, the State Department of
60Health shall periodically conduct inspections of state office
61buildings for compliance with this section.

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

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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