

FEB 1 0 1961
LOCAL GOVERNMENT

HOUSE FILE 261
BY FOEGE and SCHICKEL

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to state and local regulation of smoking.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 261

1 Section 1. Section 142B.6, unnumbered paragraph 3, Code
2 2005, is amended by striking the unnumbered paragraph.

3 Sec. 2. NEW SECTION. 142B.6A LOCAL REGULATION OF
4 SMOKING.

5 1. A city, county, or local board of health may provide
6 for the enforcement, by ordinance or rule, of standards or
7 requirements that are higher or more stringent than those
8 imposed under this chapter.

9 2. An ordinance or rule adopted under subsection 1 may
10 specifically include, but is not limited to, any of the
11 following:

12 a. An ordinance or rule that eliminates or limits the
13 exemptions specified in section 142B.2, subsection 1.

14 b. An ordinance or rule that prohibits the designation of
15 smoking areas notwithstanding section 142B.2, subsection 2.

16 c. A ordinance or rule that eliminates or limits the
17 exemption in section 142B.2, subsection 2, relating to a
18 public place consisting of a single room or a bar.

19 EXPLANATION

20 This bill provides that a city, county, or local board of
21 health may adopt an ordinance or rule to provide for the
22 enforcement of standards and requirements that are higher or
23 more stringent than those imposed under Code chapter 142B
24 (smoking prohibitions).

25 The bill provides that an ordinance or rule may
26 specifically: eliminate or limit the exemptions relating to
27 designation of a smoking area or the application of
28 designation of a smoking area to an entire room or hall that
29 is used for a private social function, or to factories,
30 warehouses, or similar places of work not usually frequented
31 by the general public; prohibit the designation of a smoking
32 area; or eliminate or limit the provisions allowing for
33 exemptions for a single room or a bar.

34 The bill also eliminates the provision relating to
35 enforcement of the smoking prohibitions Code chapter in an

1 equitable and uniform manner throughout the state.

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