

**House File 232 - Introduced**

HOUSE FILE 232

BY SWAIM

**A BILL FOR**

1 An Act relating to an exemption for smoking in public places  
2 meeting certain restrictions, including age-related  
3 provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 142D.4, Code 2011, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 12. *a.* A public place otherwise subject  
4 to the prohibitions of section 142D.3 that meets both of the  
5 following conditions:

6 (1) Entrance to the public place is restricted to  
7 individuals eighteen years of age or older.

8 (2) The owner, operator, manager, or other person having  
9 custody or control of the public place ensures that smoke from  
10 the location in which smoking is authorized does not infiltrate  
11 into areas in which smoking is otherwise prohibited under  
12 section 142D.3.

13 *b.* This subsection shall not be construed to prohibit the  
14 owner, operator, manager, or other person having custody or  
15 control of a public place from designating the public place as  
16 a nonsmoking place pursuant to section 142D.5.

17 EXPLANATION

18 This bill exempts from the prohibition against smoking,  
19 a public place that does both of the following: restricts  
20 entrance to individuals 18 years of age and older, and ensures  
21 that smoke from the location in which smoking is authorized  
22 does not infiltrate into areas in which smoking is otherwise  
23 prohibited. The bill is not to be construed to prohibit the  
24 owner, operator, manager, or other person having custody or  
25 control of the public place from designating the public place  
26 as nonsmoking in accordance with existing law.