

Senate Study Bill 1080 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
VETERANS AFFAIRS BILL BY
CHAIRPERSON CARLIN)

A BILL FOR

1 An Act relating to smoking by members at the Iowa veterans
2 home.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 35D.3, Code 2021, is amended to read as
2 follows:

3 **35D.3 Rules — general management.**

4 1. The commission shall adopt all the necessary rules,
5 pursuant to **chapter 17A**, for the preservation of order and
6 enforcement of discipline, the promotion of health and
7 well-being of all the members and the management and control of
8 the home and its grounds.

9 2. a. Pursuant to section 142D.4, the commission shall
10 adopt rules relating to smoking applicable to members of the
11 home. The rules shall provide that smoking accommodations
12 shall be subject to reasonable restrictions as designated by
13 the commission with regard to the times when and the places
14 where smoking is permitted.

15 b. The rules adopted under this subsection shall provide
16 that all of the following shall apply:

17 (1) A member shall be permitted to smoke only in posted
18 areas where proper facilities are provided. The home
19 shall provide proper facilities at times and in places that
20 reasonably accommodate smoking by members.

21 (2) Smoking by a member determined to be careless shall be
22 prohibited except when the member is under direct supervision.
23 The home shall provide such supervision at times and in places
24 that reasonably accommodate such members.

25 (3) Smoking shall be prohibited in member bedrooms and in
26 all rooms where oxygen is being administered or where oxygen is
27 being stored.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill relates to smoking at the Iowa veterans home.

32 Under Code chapter 142D (Smokefree Air Act), the Iowa
33 veterans home (home) is exempt from the prohibitions against
34 smoking in public places, places of employment, and outdoor
35 areas.

1 The bill directs the commission of veterans affairs to
2 adopt administrative rules relating to smoking as applicable
3 to members of the home. The rules shall provide that smoking
4 accommodations shall be subject to reasonable restrictions as
5 designated by the commission with regard to the times when and
6 the places where smoking is permitted. Specifically, the rules
7 shall provide that a member shall be permitted to smoke only
8 in posted areas where proper facilities are provided; that the
9 home shall provide proper facilities at times and in places
10 that reasonably accommodate smoking by members; that smoking by
11 a member determined to be careless shall be prohibited except
12 when the member is under direct supervision and that the home
13 shall provide such supervision at times and in places that
14 reasonably accommodate such members; and that smoking shall be
15 prohibited in member bedrooms and in all rooms where oxygen is
16 being administered or where oxygen is being stored.