

House Bill 545

By: Representatives Dean of the 48th, Holmes of the 53rd and Tillman of the 173rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-12-2 of the Official Code of Georgia Annotated, relating to
2 smoking in public places, so as to extend the smoking prohibition to certain health care
3 institutions; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Code Section 16-12-2 of the Official Code of Georgia Annotated, relating to smoking in
7 public places, is amended by striking subsection (a) thereof and inserting in its place a new
8 subsection to read as follows:

9 "(a) A person who smokes tobacco in any form in any of the following public places shall
10 be guilty of a misdemeanor:

11 (1) An enclosed elevator which is used by or open to the public and which is clearly
12 designated by a no-smoking sign;

13 (2) Any place on a public transportation vehicle which is used by the public and which
14 is clearly designated by a no-smoking sign;

15 (3) Any area which is used by or open to the public and which is clearly designated by
16 a no-smoking sign; ~~or~~

17 (4) Any area which is the real property upon which is operated a day-care center, group
18 day-care home, or family day-care home, as defined in Code Section 49-5-3, during the
19 hours of operation of such facility; or

20 (5) Any area which is the real property upon which is operated a health care institution
21 required to have a permit therefor under Code Section 31-7-3."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.