

New law provides that for the purposes of new law, "state office buildings" shall mean all buildings owned by the state which are utilized primarily as office buildings.

New law provides that for the purposes of new law, "smoking" means the carrying of a lighted cigar, cigarette, pipe, or any other lighted smoking equipment, in addition to the inhalation and exhalation of smoke by a person from any form of lighted tobacco.

New law provides that smoking shall be prohibited in all of the following areas:

- (1) Any outdoor area proximate to a state office building which is within 25 feet of an entrance of the building to which access by the public is not restricted.
- (2) Any outdoor area which is within 25 feet of a wheelchair ramp or other structure which facilitates access to a state office building by a person with a disability.

Existing law within the Louisiana Smokefree Air Act (R.S. 40:1300.251 et seq.) prohibits smoking in certain enumerated locations. New law adds to existing law the outdoor smoking prohibition provided in new law.

New law would subject areas where smoking is prohibited by new law to the requirement of existing law (R.S. 40:1300.261) that "no smoking" signs or the international "no smoking" symbol be clearly and conspicuously posted in every place where smoking is prohibited.

New law would cause enforcement of new law to occur in the following manner prescribed in existing law:

- (1) Any violation of any prohibition in existing law or new law may be cited by any law enforcement officer by the issuance of a citation and summons to appear before a court of proper jurisdiction.
- (2) Such citations shall be in a form such that there shall be retained in each book of citations a receipt and each shall have a copy to be deposited by the law enforcement officer with a court having jurisdiction over the alleged offense.
- (3) Upon the deposit of the copy, the court shall notify the alleged violator of the time and place of his hearing or of his opportunity to plead guilty by the payment of his specified fine. Failure to appear, unless the fine is paid, may be punished within the discretion of the court as contempt of court.

New law would subject any violation of new law to the following penalties provided in existing law:

- (1) Any person who is guilty of a violation of the prohibition in new law or existing law shall, upon a first offense, be fined \$25.
- (2) Any person who is guilty of violating such prohibition a second time shall be fined \$50.
- (3) Any person who is guilty of violating such prohibition a third or subsequent time shall be fined \$100.

Effective Jan. 1, 2015.

(Amends R.S. 40:1300.252, 1300.256(A)(4), and 1300.262(B)(1)(a) and (2)(a); Adds R.S. 40:1263 and 1300.256(A)(5))