

**SB37 ENGROSSED**



1 SB37  
2 E8MQ929-2  
3 By Senator Allen  
4 RFD: Healthcare  
5 First Read: 06-Feb-24



## SB37 Engrossed

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A BILL  
TO BE ENTITLED  
AN ACT

Relating to the Alabama Clean Indoor Air Act, to amend Sections 22-15A-1 and 22-15A-3, Code of Alabama 1975, to rename the act the Vivian Davis Figures Clean Indoor Air Act; and to prohibit the smoking of electronic nicotine delivery systems in the same manner as the smoking of tobacco products is prohibited.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 22-15A-1 and 22-15A-3 of the Code of Alabama 1975, are amended to read as follows:

"§22-15A-1

This chapter shall be known and may be cited as the "~~Alabama~~ Vivian Davis Figures Clean Indoor Air Act."

"§22-15A-3

As used in this chapter, the following words and phrases shall have the following meanings:

(1) BAR AND LOUNGE. Any establishment which is primarily devoted to the serving of alcoholic beverages for consumption by patrons on the premises and in which the serving of food is only incidental to the consumption of beverages. Although a restaurant may contain a bar, the term



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29 "bar" shall not include the restaurant dining area.

30 (2) CHILD CARE FACILITY. Any facility caring for  
31 children.

32 (3) DEPARTMENT. The Alabama Department of Public  
33 Health.

34 (4) EMPLOYER. Any person, partnership, association,  
35 corporation, or nonprofit entity that employs five or more  
36 persons, including the legislative, executive, and judicial  
37 branches of state government; and any county, city, town, or  
38 village or any other political subdivision of the state; any  
39 public authority, commission, agency, or public benefit  
40 corporation; or any other separate corporate instrumentality  
41 or unit of state or local government.

42 (5) GOVERNMENT BUILDING. Any building owned or operated  
43 by the state, including the legislative, executive, and  
44 judicial branches of state government; any county, city, town,  
45 or village or any other political subdivision of the state;  
46 any public authority, commission, agency, or public benefit  
47 corporation; or any other separate corporate instrumentality  
48 or unit of state or local government.

49 (6) PUBLIC CONVEYANCE. A bus, taxi, train, trolley,  
50 boat, and any other means of public transit.

51 (7) PUBLIC MEETING. Any meeting open to the public  
52 unless held in a private residence.

53 (8) PUBLIC PLACE. Any enclosed area to which the public  
54 is permitted, including, but not limited to, auditoriums,  
55 elevators, hospitals, nursing homes, libraries, courtrooms,  
56 jury waiting rooms and deliberation rooms, theatres, museums,



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57 common areas of retirement homes, restaurants, laundromats,  
58 health facilities, educational facilities, shopping malls,  
59 government buildings, sports and recreational facilities,  
60 places of employment, airports, banks, retail stores, and  
61 service establishments. A private residence is not a "public  
62 place."

63 (9) SERVICE LINE. Any indoor line at which one or more  
64 persons are waiting for or receiving service of any kind,  
65 whether or not the service involves the exchange of money.

66 (10) SMOKING. The burning of a lighted cigarette,  
67 cigar, pipe, or any other matter or substance that contains  
68 tobacco and the use of an electronic nicotine delivery system  
69 as defined in Section 28-11-2.

70 (11) SMOKING AREA. Any designated area meeting the  
71 requirements of Section 22-15A-7."

72 Section 2. This act shall become effective on October  
73 1, 2024.



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74  
75  
76 Senate

77 Read for the first time and referred .....06-Feb-24  
78 to the Senate committee on  
79 Healthcare  
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81 Read for the second time and placed .....21-Mar-24  
82 on the calendar:  
83 0 amendments  
84  
85 Read for the third time and passed .....09-Apr-24  
86 as amended  
87 Yeas 32  
88 Nays 0  
89 Abstains 0  
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91  
92 Patrick Harris,  
93 Secretary.  
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