



General Assembly

**Substitute Bill No. 752**

January Session, 2019



**AN ACT CONCERNING SMOKING AND VAPING ON BEACHES IN STATE PARKS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2019*) (a) No person shall engage in  
2 the act of smoking on any beach located in a state park.

3 (b) The Commissioner of Energy and Environmental Protection may  
4 enforce the provisions of this section and issue a warning for any first  
5 violation of the provisions of this section and any person who violates  
6 the provisions of this section a second or subsequent time shall be  
7 deemed to have committed an infraction. Nothing in this section shall  
8 be construed to require the alteration of any sign located in a state  
9 park. Notice of the prohibition contained in this section shall be posted  
10 on the Internet web site of the Department of Energy and  
11 Environmental Protection and shall be conveyed by any applicable  
12 park attendant to a patron upon such patron's entry to such park.

13 (c) For purposes of this section, "smoking" means inhaling, exhaling,  
14 burning, carrying or otherwise possessing any lighted cigarette, cigar,  
15 pipe or any other object or device of any form that contains lighted  
16 tobacco or any other smoking product including any electronic  
17 nicotine delivery system and vapor product.

18 Sec. 2. Subsection (b) of section 51-164n of the general statutes is

19 repealed and the following is substituted in lieu thereof (*Effective July*  
20 *1, 2019*):

21 (b) Notwithstanding any provision of the general statutes, any  
22 person who is alleged to have committed (1) a violation under the  
23 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-  
24 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-  
25 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g,  
26 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section  
27 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-  
28 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-  
29 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-  
30 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or  
31 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,  
32 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)  
33 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,  
34 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a or 14-  
35 67a, subsection (g) of section 14-80, subsection (f) of section 14-80h,  
36 section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-  
37 153 or 14-163b, a first violation as specified in subsection (f) of section  
38 14-164i, section 14-219 as specified in subsection (e) of said section,  
39 subdivision (1) of section 14-223a, section 14-240, 14-250 or 14-253a,  
40 subsection (a) of section 14-261a, section 14-262, 14-264, 14-267a, 14-  
41 269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h) of section  
42 14-283, section 14-291, 14-293b, 14-296aa, 14-300, 14-300d, 14-319, 14-  
43 320, 14-321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3)  
44 of section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-  
45 97, subsection (a) of section 15-115, section 16-44, 16-256e, 16a-15 or  
46 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145,  
47 17a-149, 17a-152, 17a-465, 17b-124, 17b-131, 17b-137, 19a-30, 19a-33,  
48 19a-39 or 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-  
49 105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-  
50 287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-  
51 340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-  
52 265, 20-324e, 20-341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-39,

53 21-43, 21-47, 21-48, 21-63 or 21-76a, subsection (c) of section 21a-2,  
54 subdivision (1) of section 21a-19, section 21a-21, subdivision (1) of  
55 subsection (b) of section 21a-25, section 21a-26 or 21a-30, subsection (a)  
56 of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection  
57 (b) of section 21a-79, section 21a-85 or 21a-154, subdivision (1) of  
58 subsection (a) of section 21a-159, subsection (a) of section 21a-279a,  
59 section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-29, 22-34, 22-35, 22-  
60 36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49 or 22-54,  
61 subsection (d) of section 22-84, section 22-89, 22-90, 22-98, 22-99, 22-  
62 100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326  
63 or 22-342, subsection (b), (e) or (f) of section 22-344, section 22-359, 22-  
64 366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of  
65 section 22a-250, subsection (e) of section 22a-256h, section 22a-363 or  
66 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449,  
67 22a-461, section 1 of this act, 23-37, 23-38, 23-46 or 23-61b, subsection  
68 (a) or subdivision (1) of subsection (c) of section 23-65, section 25-37 or  
69 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-  
70 19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-58 or  
71 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64,  
72 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,  
73 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-  
74 138 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215,  
75 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-  
76 230, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-  
77 288, 26-294, 28-13, 29-6a, 29-25, 29-143o, 29-143z or 29-156a, subsection  
78 (b), (d), (e) or (g) of section 29-161q, section 29-161y or 29-161z,  
79 subdivision (1) of section 29-198, section 29-210, 29-243 or 29-277,  
80 subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a,  
81 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,  
82 31-24, 31-25, 31-32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52,  
83 31-52a or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-  
84 74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-  
85 273, section 31-288, subdivision (1) of section 35-20, section 36a-787, 42-  
86 230, 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of  
87 section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-

88 8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-  
89 302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-344,  
90 subsection (c) of section 53-344b, or section 53-450, or (2) a violation  
91 under the provisions of chapter 268, or (3) a violation of any regulation  
92 adopted in accordance with the provisions of section 12-484, 12-487 or  
93 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any  
94 town, city or borough, except violations of building codes and the  
95 health code, for which the penalty exceeds ninety dollars but does not  
96 exceed two hundred fifty dollars, unless such town, city or borough  
97 has established a payment and hearing procedure for such violation  
98 pursuant to section 7-152c, shall follow the procedures set forth in this  
99 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	New section
Sec. 2	<i>July 1, 2019</i>	51-164n(b)

**ENV**      *Joint Favorable Subst.*