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1 A bill to be entitled 2 An act relating to smoking; renaming part II of ch. 3 386, F.S.; expanding its application to include outdoor areas; amending s. 386.201, F.S.; renaming the 4 5 Florida Clean Indoor Air Act as the Florida Clean Air 6 Act to conform to changes made by the act; amending s. 7 386.209, F.S.; authorizing counties to further 8 restrict smoking within the boundaries of certain 9 public beaches and public parks; creating s. 386.2095, 10 F.S.; prohibiting smoking within the boundaries of a state park; amending ss. 381.84 and 386.211, F.S.; 11 12 conforming provisions to changes made by the act; 13 providing an effective date. 14 15 Be It Enacted by the Legislature of the State of Florida: 16 17 Section 1. Part II of chapter 386, Florida Statutes, entitled "INDOOR AIR: SMOKING AND VAPING," is renamed "SMOKING 18 19 AND VAPING." Section 2. Section 386.201, Florida Statutes, is amended 20 21 to read: 22 386.201 Short title Popular name. - This part may be cited 23 as by the popular name the "Florida Clean Indoor Air Act." Section 3. Section 386.209, Florida Statutes, is amended 24 25 to read:

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386.209 Regulation of smoking preempted to state.—This part expressly preempts regulation of smoking to the state and supersedes any municipal or county ordinance on the subject; however, counties may further restrict smoking within the boundaries of any public beaches or public parks that they own and school districts may further restrict smoking by persons on school district property. This section does not preclude the adoption of municipal or county ordinances that impose more restrictive regulation on the use of vapor-generating devices than is provided in this part.

Section 4. Section 386.2095, Florida Statutes, is created to read:

386.2095 Smoking prohibited in state parks.—A person may not smoke within the boundaries of a state park.

Section 5. Paragraph (h) of subsection (3) of section 381.84, Florida Statutes, is amended to read:

- 381.84 Comprehensive Statewide Tobacco Education and Use Prevention Program.—
- (3) PROGRAM COMPONENTS AND REQUIREMENTS.—The department shall conduct a comprehensive, statewide tobacco education and use prevention program consistent with the recommendations for effective program components contained in the 1999 Best Practices for Comprehensive Tobacco Control Programs of the CDC, as amended by the CDC. The program shall include the following components, each of which shall focus on educating people,

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particularly youth and their parents, about the health hazards of tobacco and discouraging the use of tobacco:

(h) Enforcement and awareness of related laws.—In coordination with the Department of Business and Professional Regulation, the program shall monitor the enforcement of laws, rules, and policies prohibiting the sale or other provision of tobacco to minors, as well as the continued enforcement of the Clean Indoor Air Act prescribed in chapter 386. The advertisements produced in accordance with paragraph (a) may also include information designed to make the public aware of these related laws and rules. The departments may enter into interagency agreements to carry out this program component.

Section 6. Section 386.211, Florida Statutes, is amended to read:

386.211 Public announcements in mass transportation terminals.—Announcements about the Florida Clean Indoor Air Act shall be made regularly over public address systems in terminals of public transportation carriers located in metropolitan statistical areas with populations over 230,000 according to the latest census. These announcements shall be made at least every 30 minutes and shall be made in appropriate languages. Each announcement must include a statement to the effect that Florida is a clean indoor air state and that smoking and vaping are prohibited except as provided in this part.

Section 7. This act shall take effect July 1, 2020.

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