

SENATE BILL 1785

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 15, relative to prohibiting smoking on the grounds of certain local government buildings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-1551, is amended by deleting subsection (b) and substituting instead the following:

(b)

(1) Notwithstanding subsection (a) or any other provision of this title, a municipality, a county or a county having a metropolitan form of government is authorized by local ordinance or resolution to prohibit smoking:

(A) On the grounds of a hospital or in the public areas immediately outside of a hospital building and its entrances, including public sidewalks; or

(B) On the grounds of a building owned or used by the county or municipality for governmental purposes or in the public areas immediately outside of such building and its entrances, including public sidewalks.

(2) Any regulation or ordinance that is passed or adopted by a local government pursuant to the authority granted by this subsection (b) may prohibit smoking by a distance of up to fifty feet (50') from a hospital's or governmental building's entrance unless the application of a fifty-foot limit would place hospital patients or governmental building employees or visitors in a potentially unsafe condition. In which case the fifty-foot limit shall be extended to such distance as is necessary to ensure patient, employee, or visitor safety as determined by the

local government's legislative body in consultation with representatives of any hospitals or governmental buildings that are subject to the regulation or ordinance.

SECTION 2. For purposes of a local governmental entity being authorized to pass or adopt a regulation or ordinance pursuant to subdivision (b)(2) of this act, this act shall take effect upon becoming a law, the public welfare requiring it. For purposes of prohibiting smoking in the designated locations, this act shall take effect upon a resolution or ordinance being passed or adopted as provided in subsection (b) of this act.