

Committee Substitute for House Bill Nos. 1153 and 845

An act relating to the Florida Clean Indoor Air Act; amending s. 386.205, F.S.; reducing the maximum percentage of seats that may be located in an area designated as a smoking area in restaurants; amending s. 386.203, F.S.; revising the definition of "public place" to delete the size requirement for restaurants subject to the act, after a specified date; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (4) of section 386.205, Florida Statutes, is amended to read:

386.205 Designation of smoking areas.—

(4)(a) No more than one-half of the total square footage in any public place within a single enclosed indoor area used for a common purpose shall be reserved and designated as a smoking area. ~~This square footage limitation does not apply to restaurants as defined in s. 386.203(1)(p). However, such a restaurant must ensure that no more than 65 percent of the seats existing in its dining room at any time are located in an area designated as a smoking area.~~

(b) The square footage limitation set forth in paragraph (a) shall not apply to any restaurant subject to this part. With respect to such restaurants:

1. No more than 50 percent of the seats existing in a restaurant's dining room at any time shall be located in an area designated as a smoking area.

2. Effective October 1, 2001, no more than 35 percent of the seats existing in a restaurant's dining room at any time shall be located in an area designated as a smoking area.

Section 2. Effective October 1, 2001, paragraph (p) of subsection (1) of section 386.203, Florida Statutes, is amended to read:

386.203 Definitions.—As used in this part:

(1) "Public place" means the following enclosed, indoor areas used by the general public:

~~(p) Restaurants which seat more than 50 persons;~~

Section 3. Except as otherwise provided herein, this act shall take effect October 1, 2000.

Approved by the Governor June 2, 2000.

Filed in Office Secretary of State June 2, 2000.