
HOUSE BILL 2652

State of Washington

59th Legislature

2006 Regular Session

By Representatives Darneille, McCoy, Walsh, Green, Morrell, Appleton, Nixon, Upthegrove, Miloscia and Strow

Read first time 01/11/2006. Referred to Committee on Health Care.

1 AN ACT Relating to amending Initiative 901 to allow smoking in
2 buildings conducting religious ceremonies where smoking is part of the
3 ritual; and amending RCW 70.160.020.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.160.020 and 2006 c 2 s 2 (Initiative Measure No.
6 901) are each amended to read as follows:

7 As used in this chapter, the following terms have the meanings
8 indicated unless the context clearly indicates otherwise.

9 (1) "Smoke" or "smoking" means the carrying or smoking of any kind
10 of lighted pipe, cigar, cigarette, or any other lighted smoking
11 equipment.

12 (2) "Public place" means that portion of any building or vehicle
13 used by and open to the public, regardless of whether the building or
14 vehicle is owned in whole or in part by private persons or entities,
15 the state of Washington, or other public entity, and regardless of
16 whether a fee is charged for admission, and includes a presumptively
17 reasonable minimum distance, as set forth in RCW 70.160.075, of twenty-
18 five feet from entrances, exits, windows that open, and ventilation
19 intakes that serve an enclosed area where smoking is prohibited. A

1 public place does not include a private residence unless the private
2 residence is used to provide licensed child care, foster care, adult
3 care, or other similar social service care on the premises.

4 Public places include, but are not limited to: Schools, elevators,
5 public conveyances or transportation facilities, museums, concert
6 halls, theaters, auditoriums, exhibition halls, indoor sports arenas,
7 hospitals, nursing homes, health care facilities or clinics, enclosed
8 shopping centers, retail stores, retail service establishments,
9 financial institutions, educational facilities, ticket areas, public
10 hearing facilities, state legislative chambers and immediately adjacent
11 hallways, public restrooms, libraries, restaurants, waiting areas,
12 lobbies, bars, taverns, bowling alleys, skating rinks, casinos,
13 reception areas, and no less than seventy-five percent of the sleeping
14 quarters within a hotel or motel that are rented to guests. A public
15 place does not include a private residence, or a building or part of a
16 building where religious ceremonies are conducted when smoking is part
17 of the ritual. This chapter is not intended to restrict smoking in
18 private facilities which are occasionally open to the public except
19 upon the occasions when the facility is open to the public.

20 (3) "Place of employment" means any area under the control of a
21 public or private employer which employees are required to pass through
22 during the course of employment, including, but not limited to:
23 Entrances and exits to the places of employment, and including a
24 presumptively reasonable minimum distance, as set forth in RCW
25 70.160.075, of twenty-five feet from entrances, exits, windows that
26 open, and ventilation intakes that serve an enclosed area where smoking
27 is prohibited; work areas; restrooms; conference and classrooms; break
28 rooms and cafeterias; and other common areas. A private residence or
29 home-based business, unless used to provide licensed child care, foster
30 care, adult care, or other similar social service care on the premises,
31 is not a place of employment. A building or part of a building where
32 religious ceremonies are conducted when smoking is part of the ritual
33 is not a place of employment.

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