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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **339**

02/04/2013 Authored by Bernardy, Laine and Huntley

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act
1.2 relating to health; prohibiting smoking in theatrical productions; amending
1.3 Minnesota Statutes 2012, sections 144.413, subdivision 2; 144.414, subdivision
1.4 1; repealing Minnesota Statutes 2012, section 144.4167, subdivision 9.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 144.413, subdivision 2, is amended to read:

1.7 Subd. 2. **Public place.** "Public place" means any enclosed, indoor area used by the
1.8 general public, including, but not limited to, restaurants; bars; any other food or liquor
1.9 establishment; retail stores and other commercial establishments; educational facilities
1.10 other than public schools, as defined in section 120A.05, subdivisions 9, 11, and 13;
1.11 hospitals; nursing homes; auditoriums; theaters; arenas; meeting rooms; and common
1.12 areas of rental apartment buildings.

1.13 Sec. 2. Minnesota Statutes 2012, section 144.414, subdivision 1, is amended to read:

1.14 Subdivision 1. **Public places, places of employment, public transportation, and**
1.15 **public meetings.** Smoking shall not be permitted in and no person shall smoke in a public
1.16 place, at a public meeting, in a place of employment, or in public transportation, except as
1.17 provided in this section ~~or section 144.4167.~~

1.18 Sec. 3. **REPEALER.**

1.19 Minnesota Statutes 2012, section 144.4167, subdivision 9, is repealed.

1.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

APPENDIX
Repealed Minnesota Statutes: 13-0424

144.4167 PERMITTED SMOKING.

Subd. 9. **Theatrical productions.** Sections 144.414 to 144.417 do not prohibit smoking by actors and actresses as part of a theatrical performance conducted in compliance with section 366.01. Notice of smoking in a performance shall be given to theater patrons in advance and shall be included in performance programs.