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**HOUSE BILL NO. 2309**

Offered January 18, 2013

*A BILL to amend and reenact § 15.2-2824 of the Code of Virginia, relating to Virginia Indoor Clean Air Act.*

Patron—Howell, A.T.

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That § 15.2-2824 of the Code of Virginia is amended and reenacted as follows:**

**§ 15.2-2824. Prohibitions on smoking generally; penalty for violation.**

A. Smoking shall be prohibited in (i) elevators, regardless of capacity, except in any open material hoist elevator not intended for use by the general public; (ii) public school buses; (iii) the interior of any public elementary, intermediate, and secondary school; (iv) hospital emergency rooms; (v) local or district health departments; (vi) polling rooms; (vii) indoor service lines and cashier lines; (viii) public restrooms in any building owned or leased by the Commonwealth or any agency thereof; (ix) the interior of a child day center licensed pursuant to § 63.2-1701 that is not also used for residential purposes; however, this prohibition shall not apply to any area of a building not utilized by a child day center, unless otherwise prohibited by this chapter; and (x) ~~public restrooms~~ of health care facilities.

B. No person shall smoke in any area or place specified in subsection A and any person who continues to smoke in such area or place after having been asked to refrain from smoking shall be subject to a civil penalty of not more than \$25.

C. Civil penalties assessed under this section shall be paid into the Virginia Health Care Fund established under § 32.1-366.

INTRODUCED

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