

2018 SESSION

SENATE SUBSTITUTE

18108268D

SENATE BILL NO. 149

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Joint Conference Committee

on March 10, 2018)

(Patron Prior to Substitute—Senator Edwards)

A *BILL to amend the Code of Virginia by adding in Article 1 of Chapter 9 of Title 15.2 a section numbered 15.2-926.4, relating to regulation of smoking in outdoor amphitheater or concert venue; civil penalty.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 9 of Title 15.2 a section numbered 15.2-926.4 as follows:

§ 15.2-926.4. Regulation of smoking in outdoor amphitheater or concert venue; civil penalty.

A. Any locality, by ordinance, may designate reasonable no-smoking areas within an outdoor amphitheater or concert venue owned by that locality.

B. An ordinance adopted pursuant to this section shall:

1. Require the locality to install adequate signs within each outdoor amphitheater or concert venue that designate the no-smoking areas within such outdoor amphitheater or concert venue;

2. Provide that no person shall smoke in any area or place designated as a no-smoking area and that 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; and

3. Provide that any law-enforcement officer may issue a summons regarding a violation of the ordinance.

C. Civil penalties assessed under this section shall be paid into the treasury of the locality where the offense occurred and shall be expended solely for public health purposes.

2. That the provisions of this act shall not become effective unless reenacted by the 2019 Session of the General Assembly.

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