

SENATE No. 410

By Mr. Rogers, a petition (accompanied by bill, Senate, No. 410) of George Rogers for legislation to provide for non-smoking areas in restaurants. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-eight.

AN ACT PROVIDING FOR NON-SMOKING AREAS IN RESTAURANTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 270 of the General Laws is hereby amended by
- 2 inserting after section 21, the following section: —
- 3 *Section 22.* Every person who owns or operates a restaurant
- 4 open to the public and having a seating capacity of more than
- 5 30 persons shall designate and conspicuously mark with appro-
- 6 priate signs an area therein as a no smoking area. Any person
- 7 legitimately present in such restaurant may request the person
- 8 in charge thereof to request any person smoking or having in
- 9 his possession any lighted cigar, cigarette or other tobacco
- 10 product in an area where a no smoking sign is displayed to
- 11 extinguish such tobacco product. If the owner, operator or
- 12 person in charge of a restaurant fails to display a required no
- 13 smoking sign or, upon request of any person legitimately
- 14 present in such a restaurant, fails to request the extinguishing
- 15 of such tobacco product, he shall be subject to a fine of not
- 16 more than 50 dollars.

