

SENATE No. 416

By Mr. Brennan, a petition (accompanied by bill, Senate, No. 416) of John A. Brennan, Jr., and 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-nine.

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 ap-
- 6 propriate signs an area therein as a no smoking area. Any
- 7 person legitimately present in such restaurant may request
- 8 the person in charge thereof to request any person smoking
- 9 or having in his possession any lighted cigar, cigarette or
- 10 other tobacco product in an area where a no smoking sign is
- 11 displayed to extinguish such tobacco product. If the owner,
- 12 operator or person in charge of a restaurant fails to display
- 13 a required no smoking sign or, upon request of any person
- 14 legitimately present in such a restaurant, fails to request the
- 15 extinguishing of such tobacco product, he shall be subject to a
- 16 fine of not more than 50 dollars.

