

By Mrs. Simmons of Leominster, petition of Mary Jane Simmons, Anthony J. Verga and Mary Jeanette Murray that restaurants with a seating capacity of twenty-five persons be required to contain designated smoking areas. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Seven.

AN ACT RELATIVE TO RESTAURANTS ACCOMMODATING CUSTOMERS.

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

- 1 Section 22 of Chapter 270 of the General Laws is hereby
- 2 amended by striking out the third paragraph and inserting in place
- 3 thereof the following:—
- 4 No persons shall smoke in any restaurant whose seating
- 5 capacity is twenty-five or more persons except in a smoking area
- 6 designated by the person in charge of the restaurant. There shall
- 7 be a non-smoking area of at least sixty (60) percent of the restau-
- 8 rant's seating capacity. No non-smoking area shall be contiguous
- 9 to two or more smoking areas.
- 10 Smoking shall not be prohibited in any areas of a bar, tavern,
- 11 function rooms or the lounge area of a restaurant.
- 12 Any local board of health or local health authority may adopt
- 13 rules and regulations to further regulate smoking in restaurants,
- 14 provided that said regulations shall not be effective unless
- 15 approved by the local legislative body within ninety days of their
- 16 adoption.
- 17 No regulations inconsistent with this provision are valid.

