
SENATE BILL 5114

State of Washington 59th Legislature 2005 Regular Session

By Senators Shin, Kohl-Welles, Kline, Keiser, Rasmussen and Oke

Read first time 01/13/2005. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to prohibiting smoking within thirty-five feet of
2 a public place; and amending RCW 70.160.020.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.160.020 and 1985 c 236 s 2 are each amended to read
5 as follows:

6 As used in this chapter, the following terms have the meanings
7 indicated unless the context clearly indicates otherwise.

8 (1) "Smoke" or "smoking" means the carrying or smoking of any kind
9 of lighted pipe, cigar, cigarette, or any other lighted smoking
10 equipment.

11 (2) "Public place" means that portion of any building, including a
12 thirty-five foot radius around the building, or vehicle used by and
13 open to the public, regardless of whether the building or vehicle is
14 owned in whole or in part by private persons or entities, the state of
15 Washington, or other public entity, and regardless of whether a fee is
16 charged for admission.

17 Public places include, but are not limited to: Elevators, public
18 conveyances or transportation facilities, museums, concert halls,
19 theaters, auditoriums, exhibition halls, indoor sports arenas,

1 hospitals, nursing homes, health care facilities or clinics, enclosed
2 shopping centers, retail stores, retail service establishments,
3 financial institutions, educational facilities, ticket areas, public
4 hearing facilities, state legislative chambers and immediately adjacent
5 hallways, public restrooms, libraries, restaurants, waiting areas,
6 lobbies, and reception areas. A public place does not include a
7 private residence. This chapter is not intended to restrict smoking in
8 private facilities which are occasionally open to the public except
9 upon the occasions when the facility is open to the public.

10 (3) "Restaurant" means any building, structure, or area used,
11 maintained, or advertised as, or held out to the public to be, an
12 enclosure where meals are made available to be consumed on the
13 premises, for consideration of payment.

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