

HOUSE BILL 1334

L5

4lr1793

By: **Prince George's County Delegation and Montgomery County Delegation**

Introduced and read first time: February 7, 2014

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2014

CHAPTER _____

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – Regulations to**
3 **Prohibit Smoking ~~or Use of Electronic Cigarettes~~**

4 **PG/MC 112–14**

5 FOR the purpose of requiring the Maryland–National Capital Park and Planning
6 Commission to adopt regulations, on or before a certain date, to prohibit on
7 property under its jurisdiction the smoking of certain tobacco products;
8 providing for certain exemptions and exclusions; ~~providing that the regulations~~
9 ~~may prohibit certain electronic cigarettes or similar products~~; and generally
10 relating to regulations by the Maryland–National Capital Park and Planning
11 Commission.

12 BY repealing and reenacting, with amendments,

13 Article – Land Use

14 Section 17–207

15 Annotated Code of Maryland

16 (2012 Volume and 2013 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Land Use**

20 17–207.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) The Commission may adopt regulations for the use of any property under
2 its jurisdiction.

3 (B) (1) **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR**
4 **BEFORE JUNE 30, 2015, THE COMMISSION SHALL ADOPT REGULATIONS TO**
5 **PROHIBIT THE SMOKING OF A CIGARETTE, A CIGAR, OR ANY OTHER TOBACCO**
6 **PRODUCT ON PROPERTY UNDER ITS JURISDICTION.**

7 (2) **THE REGULATIONS ADOPTED IN ACCORDANCE WITH THIS**
8 **SUBSECTION MAY:**

9 (I) **EXEMPT ANY COMMISSION EMPLOYEE WHO IS**
10 **ENTITLED TO SMOKE UNDER THE TERMS OF A COLLECTIVE BARGAINING**
11 **AGREEMENT OR OTHER WORKPLACE RULE OF GENERAL APPLICABILITY; AND**

12 (II) **EXCLUDE FROM THE PROHIBITION ANY DESIGNATED**
13 **VENUE OR FACILITY REASONABLY DETERMINED BY THE COMMISSION TO BE**
14 **APPROPRIATE FOR THE PURPOSE OF GENERATING ADMISSION FEES, RENTAL**
15 **FEES, OR SIMILAR CHARGES FOR USE OF COMMISSION PROPERTY; ~~AND~~**

16 ~~(III) PROHIBIT THE USE OF AN ELECTRONIC DEVICE,~~
17 ~~INCLUDING AN ELECTRONIC CIGARETTE OR SIMILAR PRODUCT, WHETHER OR~~
18 ~~NOT THE ELECTRONIC DEVICE CONTAINS TOBACCO OR NICOTINE.~~

19 [(b)] (C) (1) The Commission shall:

20 (i) post the regulations outside each park headquarters
21 building, community center, recreation center, or similar building in a developed park
22 area; and

23 (ii) after posting the regulations, publish them at least three
24 times within 60 days in one or more newspapers of general circulation published in the
25 metropolitan district.

26 (2) The posting and publication of the regulations shall be sufficient
27 notice to all persons.

28 (3) The sworn certificate of a commissioner as to the posting and
29 publication of the regulations is prima facie evidence of posting and publication.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2014.