

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

A BILL ENTITLED

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 to prohibit on property under its jurisdiction
7 the smoking of certain tobacco products; providing for certain exemptions and
8 exclusions; providing that the regulations may prohibit certain electronic
9 cigarettes or similar products; and generally relating to regulations by the
10 Maryland–National Capital Park and Planning Commission.

11 BY repealing and reenacting, with amendments,
12 Article – Land Use
13 Section 17–207
14 Annotated Code of Maryland
15 (2012 Volume and 2013 Supplement)

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

18 **Article – Land Use**

19 17–207.

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

22 **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
23 **COMMISSION SHALL ADOPT REGULATIONS TO PROHIBIT THE SMOKING OF A**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 CIGARETTE, A CIGAR, OR ANY OTHER TOBACCO PRODUCT ON PROPERTY UNDER
2 ITS JURISDICTION.

3 (2) THE REGULATIONS ADOPTED IN ACCORDANCE WITH THIS
4 SUBSECTION MAY:

5 (I) EXEMPT ANY COMMISSION EMPLOYEE WHO IS
6 ENTITLED TO SMOKE UNDER THE TERMS OF A COLLECTIVE BARGAINING
7 AGREEMENT OR OTHER WORKPLACE RULE OF GENERAL APPLICABILITY;

8 (II) EXCLUDE FROM THE PROHIBITION ANY DESIGNATED
9 VENUE OR FACILITY REASONABLY DETERMINED BY THE COMMISSION TO BE
10 APPROPRIATE FOR THE PURPOSE OF GENERATING ADMISSION FEES, RENTAL
11 FEES, OR SIMILAR CHARGES FOR USE OF COMMISSION PROPERTY; AND

12 (III) PROHIBIT THE USE OF AN ELECTRONIC DEVICE,
13 INCLUDING AN ELECTRONIC CIGARETTE OR SIMILAR PRODUCT, WHETHER OR
14 NOT THE ELECTRONIC DEVICE CONTAINS TOBACCO OR NICOTINE.

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

16 (i) post the regulations outside each park headquarters
17 building, community center, recreation center, or similar building in a developed park
18 area; and

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

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

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

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