

HOUSE BILL 585

L5
HB 1334/14 – ECM

5lr0435

By: **Montgomery County Delegation and Prince George’s County Delegation**
Introduced and read first time: February 12, 2015
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – Regulations to**
3 **Prohibit Smoking**

4 **MC/PG 109–15**

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 property
7 under its jurisdiction the smoking of certain tobacco products; providing for certain
8 exemptions and exclusions; and generally relating to regulations by the
9 Maryland–National Capital Park and Planning Commission.

10 BY repealing and reenacting, with amendments,
11 Article – Land Use
12 Section 17–207
13 Annotated Code of Maryland
14 (2012 Volume and 2014 Supplement)

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

17 **Article – Land Use**

18 17–207.

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

21 **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR**
22 **BEFORE JUNE 30, 2016, THE COMMISSION SHALL ADOPT REGULATIONS TO**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

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

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2015.