

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

House Bill 585

(Montgomery County Delegation and Prince George's
County Delegation)

Economic Matters

Finance

Maryland-National Capital Park and Planning Commission - Regulations to
Prohibit Smoking
MC/PG 109-15

This bill requires the Maryland-National Capital Park and Planning Commission (M-NCPPC) to adopt regulations to prohibit the smoking of a cigarette, cigar, or any other tobacco product on property under its jurisdiction. The regulations may exclude from the prohibition any designated venue or facility reasonably determined by the commission to be appropriate for the purpose of generating admission fees, rental fees, or similar charges for use of commission property, and must provide for specified penalties for violations.

The regulations must be adopted by June 30, 2016.

Fiscal Summary

State Effect: None.

Local Effect: M-NCPPC expenditures increase by approximately \$20,000 in FY 2016 to provide signage regarding no smoking regulations. Commission revenues are not affected.
This bill imposes a mandate on a unit of local government.

Small Business Effect: None.

Analysis

Current Law: Pursuant to the Clean Indoor Air Act of 2007, except as otherwise specified, a person may not smoke in (1) an indoor area open to the public; (2) an indoor

place in which meetings are open to the public; (3) a government-owned or government-operated means of mass transportation; (4) an indoor place of employment; (5) a private home used by a licensed child care provider; or (6) a private vehicle used for public transportation of children or as part of health care or day care transportation. The prohibition includes bars, clubs, restaurants, pubs, taverns, retail establishments, theaters, concert halls, athletic facilities, financial service institutions, government buildings, educational institutions, museums, and libraries. However, the prohibition does not apply to (1) private homes or residences; (2) private vehicles; (3) a hotel or motel room as long as the total percent of rooms so used does not exceed 25%; (4) specified tobacco facilities and retail businesses; or (5) a laboratory for the purpose of conducting scientific research into the health effects of tobacco smoke.

M-NCPPC is not required to prohibit smoking on property under its jurisdiction.

Background: M-NCPPC is a bi-county agency serving Montgomery and Prince George's counties that was empowered by the State in 1927 to acquire and administer a regional system of parks within the Maryland-Washington Metropolitan District and administer a general plan for the physical development of the area. In 1970, M-NCPPC became responsible for managing the Prince George's County public recreation program.

M-NCPPC oversees approximately 52,000 acres of parkland, trails, and open space and owns approximately 510 buildings, which includes park shelters, park houses, and office structures.

Local Fiscal Effect: M-NCPPC advises that it will cost approximately \$20,000 in fiscal 2016 to provide and install signage on commission property alerting the public to the new no smoking regulations.

Additional Information

Prior Introductions: HB 1334 of 2014 passed the House and received a hearing in the Senate Finance Committee, but no further action was taken.

Cross File: None.

Information Source(s): Maryland-National Capital Park and Planning Commission, Montgomery County, Prince George's County, Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2015
md/hlb Revised - House Third Reader - March 24, 2015
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