

# HOUSE BILL 585

L5

(5lr0435)

## ENROLLED BILL

— *Economic Matters/Finance* —

Introduced by **Montgomery County Delegation and Prince George’s County Delegation**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o’clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

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 a certain  
8 ~~exemptions and exclusions~~ exclusion; requiring that the regulations provide that  
9 certain penalties be imposed for certain infractions; and generally relating to  
10 regulations by the Maryland–National Capital Park and Planning Commission.

11 BY repealing and reenacting, with amendments,  
12 Article – Land Use

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#### 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.

*Italics indicate opposite chamber/conference committee amendments.*



1 Section 17-207  
 2 Annotated Code of Maryland  
 3 (2012 Volume and 2014 Supplement)

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

6 **Article – Land Use**

7 17-207.

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

10 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR  
 11 BEFORE JUNE 30, 2016, THE COMMISSION SHALL ADOPT REGULATIONS TO  
 12 PROHIBIT ~~THE SMOKING OF A CIGARETTE, A CIGAR, OR ANY OTHER TOBACCO~~  
 13 ~~PRODUCT~~ ON PROPERTY UNDER ITS JURISDICTION THE SMOKING OF:

14 (I) A CIGARETTE;

15 (II) A CIGAR; OR

16 (III) ANY OTHER TOBACCO PRODUCT.

17 (2) THE REGULATIONS ADOPTED IN ACCORDANCE WITH THIS  
 18 SUBSECTION:

19 (I) MAY:

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

23 ~~(H) EXCLUDE FROM THE PROHIBITION ANY DESIGNATED VENUE~~  
 24 ~~OR FACILITY REASONABLY DETERMINED BY THE COMMISSION TO BE APPROPRIATE~~  
 25 ~~FOR THE PURPOSE OF GENERATING ADMISSION FEES, RENTAL FEES, OR SIMILAR~~  
 26 ~~CHARGES FOR USE OF COMMISSION PROPERTY; AND~~

27 (II) SHALL PROVIDE THAT THE FOLLOWING PENALTIES BE  
 28 IMPOSED:

29 1. FOR A FIRST INFRACTION, A WARNING; AND

30 2. FOR A SECOND OR SUBSEQUENT INFRACTION, A \$25  
 31 FINE.

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

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

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

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

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.