

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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2015

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; 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.

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 its
2 jurisdiction.

3 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR
4 BEFORE JUNE 30, 2016, 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 THE SMOKING OF:

7 (I) A CIGARETTE;

8 (II) A CIGAR; OR

9 (III) ANY OTHER TOBACCO PRODUCT.

10 (2) THE REGULATIONS ADOPTED IN ACCORDANCE WITH THIS
11 SUBSECTION MAY:

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

15 ~~(H)~~ EXCLUDE FROM THE PROHIBITION ANY DESIGNATED VENUE
16 OR FACILITY REASONABLY DETERMINED BY THE COMMISSION TO BE APPROPRIATE
17 FOR THE PURPOSE OF GENERATING ADMISSION FEES, RENTAL FEES, OR SIMILAR
18 CHARGES FOR USE OF COMMISSION PROPERTY.

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

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

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

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

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

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