
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1314 Session of
1977

INTRODUCED BY GARZIA AND DiCARLO, JUNE 14, 1977

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, JUNE 14, 1977

AN ACT

1 Requiring that certain eating establishments establish separate
2 facilities for smokers and nonsmokers.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. As used in this act, the term "eating
6 establishment" shall mean a premise where food is regularly and
7 customarily prepared and sold to the public in one or more
8 rooms, other than living quarters, and equipped with tables and
9 chairs accommodating 30 persons at one time; including but not
10 limited to inns, taverns, roadhouses, hotels, motels, resort
11 facilities, diners, restaurants, saloons, barrooms, ice cream
12 parlors, confectioneries, soda fountains and all stores where
13 ice cream and food preparations are sold.

14 Section 2. Every eating establishment shall establish and
15 maintain separate facilities for patrons who smoke and for
16 patrons who are nonsmokers. The separate facilities shall be
17 adequately marked and shall be similar in all respects except
18 that the facility for smokers shall be equipped with a

1 ventilation system which is capable of removing all smoke from
2 the air to prevent the inhalation of tobacco smoke by a
3 nonsmoking patron.

4 Section 3. The posting of signs stating "NO SMOKING," or
5 "SMOKING AREAS," under section 2, shall be placed in the above
6 designated areas so as to be clearly visible to anyone entering
7 therein. The placement of said signs shall be the sole
8 responsibility of the owner, operator, manager, proprietor or
9 caretaker of said areas.

10 Section 4. Nothing in this act shall affect other laws or
11 regulations prohibiting smoking.

12 Section 5. Any person violating the provisions of this act
13 shall be guilty of a misdemeanor of the third degree and subject
14 to a fine not in excess of \$1,000 or imprisonment of up to six
15 months or both. Each day of violation or continued violation
16 shall constitute a seperate offense.

17 Section 6. This act shall take affect in 60 days.