

KERRY A. BENNINGHOFF, MEMBER
171ST LEGISLATIVE DISTRICT

41B EAST WING
PO BOX 202171
HARRISBURG, PA 17120-2171
PHONE: (717) 783-1918
FAX: (717) 260-6528

140 W. HIGH STREET
BELLEFONTE, PA 16823
PHONE: (814) 355-1300
FAX: (814) 355-3523

77 N. MAIN STREET
PO BOX 592
REEDSVILLE, PA 17084
PHONE: (717) 667-2319
FAX: (717) 667-6025



House of Representatives
Commonwealth of Pennsylvania
Harrisburg

COMMITTEES

FINANCE COMMITTEE
MAJORITY CHAIRMAN
HEALTH COMMITTEE
POLICY COMMITTEE
REPUBLICAN INFRASTRUCTURE TASK FORCE

CAUCUSES

RURAL HEALTH CAUCUS
CHAIRMAN

E-MAIL: kbenning@pahousegop.com
WEB: kerrybenninghoff.com

MEMORANDUM

TO: All House Members

FROM: Rep. Kerry A. Benninghoff
171st Legislative District

SUBJECT: Smoking ban exemption – outdoor fairs

DATE: February 11, 2011

In the near future, I will introduce legislation to amend the Act of July 8, 1986 (P.L. 437, No. 92), known as the "Pennsylvania Agricultural Fair Act" to specifically provide for smoking in outdoor areas.

Late last session, I was contacted by a member of my local fair board who was surprised to find out that a provision in the recently passed Clean Indoor Air Act has been read by the Department of Health as applying to county fairs. According to my constituent, they must either establish "smoking areas" within the outdoor areas of the fair or prohibit smoking at the fair altogether.

To me, the Department's reading of the Clean Indoor Air Act is too broad. My legislation provides that any of the prohibitions on smoking in "public places" do not apply to portions of a fair that are conducted in outdoor areas of a sports or recreational facility, theater or performance establishment. I want to stress that smoking would still be prohibited indoors – this only applies to outdoor areas.

If you believe that the smoking ban should not be applied to outdoor areas at the county fair, I encourage you add your name to the list of cosponsors.

Please contact Amy anoel@pahousegop.com or 717-783-1918 in my Harrisburg office to be added to my legislation.

Thank you!