

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIRST LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL

Introduced by

Read first time

Committee:

A BILL

- 1 FOR AN ACT relating to smoking; to prohibit smoking near certain
- 2 buildings as prescribed; and to provide penalties.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The Legislature finds that it is difficult
2 for certain persons with limited mobility, including children,
3 elderly persons, and disabled persons, to enter and exit buildings
4 subject to the Nebraska Clean Indoor Air Act without exposure to
5 unhealthy levels of smoke. The Legislature further finds that,
6 when people are smoking near the entrance to or windows or air
7 intake areas of a building, some of the smoke can easily enter the
8 building. To ensure that vulnerable populations are not exposed to
9 unhealthy levels of smoke, it is the intent of the Legislature to
10 prohibit smoking within twenty-five feet of a door, an openable
11 window, or an air intake area of a public place or place of
12 employment subject to the Nebraska Clean Indoor Air Act.

13 (2) It is unlawful for any person to smoke outdoors
14 within twenty-five feet of a door, an openable window, or an air
15 intake area of a public place as defined in section 71-5726 or
16 place of employment as defined in section 71-5724.

17 (3) A person who violates this section is guilty of
18 a Class V misdemeanor for the first offense and a Class IV
19 misdemeanor for the second and any subsequent offenses.