

HOUSE BILL No. 5154

September 24, 1991, Introduced by Reps. Bennane, Hertel, Leland, Gire, DeMars, Varga, Emerson, Gubow, Palamara, Stallworth, Hunter and Wozniak and referred to the Committee on Public Health.

A bill to amend section 12604 of Act No. 368 of the Public Acts of 1978, entitled as amended

"Public health code,"

as added by Act No. 294 of the Public Acts of 1988, being section 333.12604 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 12604 of Act No. 368 of the Public Acts
2 of 1978, as added by Act No. 294 of the Public Acts of 1988,
3 being section 333.12604 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 12604. Except as otherwise provided in ~~this section,~~
6 ~~beginning October 1, 1988, an~~ SUBSECTION (2), AN individual
7 shall not smoke in a child caring institution or child care
8 center or on the real property ~~which houses a~~ UPON WHICH THE
9 child caring institution or child care center IS LOCATED,

1 INCLUDING OTHER RELATED BUILDINGS. ~~, if the child caring~~
2 ~~institution or child care center is owned and operated by the~~
3 ~~department of social services. Beginning January 1, 1990, an~~
4 ~~individual shall not smoke in a child caring institution or child~~
5 ~~care center or on the real property which houses a child caring~~
6 ~~institution or child care center, whether or not the child caring~~
7 ~~institution or child care center is owned and operated by the~~
8 ~~department of social services. Within the facility of, or on the~~
9 ~~real property which houses, the child caring institution or child~~
10 ~~care center, a smoking area may be provided for in a private,~~
11 ~~enclosed office physically separated from, and out of sight of,~~
12 ~~the common and general child care areas.~~

13 (2) IN A CHILD CARING INSTITUTION, AN INDIVIDUAL MAY SMOKE
14 IN A SMOKING AREA PROVIDED BY THE CHILD CARING INSTITUTION IF THE
15 SMOKING AREA IS LOCATED IN A PRIVATE, ENCLOSED ROOM OR OFFICE
16 THAT IS BOTH PHYSICALLY AND VISUALLY SEPARATE FROM THE COMMON
17 AREAS AND GENERAL CHILD CARE AREAS.