

2024 -- H 7500

LC003929

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO HEALTH AND SAFETY -- PUBLIC HEALTH AND WORKPLACE SAFETY
ACT

Introduced By: Representatives Tanzi, McGaw, Felix, Hull, Ajello, Donovan, Kislak,
Diaz, Speakman, and Morales

Date Introduced: February 02, 2024

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-20.10-6.1 of the General Laws in Chapter 23-20.10 entitled
2 "Public Health and Workplace Safety Act" is hereby repealed.

3 ~~**23-20.10-6.1. Pari mutual facilities.**~~

4 ~~(a) Any pari mutual facility established under chapter 3.1 or 7 of title 41 or any pari mutual~~
5 ~~licensee under chapter 61.2 of title 42 shall provide designated smoking and nonsmoking gaming~~
6 ~~areas in their facilities.~~

7 ~~(b) The designated nonsmoking gaming area shall be physically separated from any~~
8 ~~smoking area and shall be required to have separate and distinct ventilation systems so as to prohibit~~
9 ~~the migration of smoke into the nonsmoking area.~~

10 ~~(c) Except as provided for in paragraph (d), any bar or restaurant located in a pari mutual~~
11 ~~facility shall be nonsmoking and be physically separate from any smoking area and shall have a~~
12 ~~separate ventilation system so as to prohibit the migration of smoke into the restaurant.~~

13 ~~(d) The prohibitions of this chapter shall not apply to any bar which is presently in~~
14 ~~existence, located in, and not physically separated from a designated smoking area.~~

15 ~~(e) Any licensee of a pari mutual facility shall promulgate rules and regulations to allow~~
16 ~~their employees the right to work in a smoke free environment. These rules shall include, but not~~
17 ~~be limited to, provisions on the right to opt out of working in a smoking area and a provision that~~
18 ~~no adverse impact or action could take place against the employee if they request to opt out of a~~

1 ~~smoking area. The rules promulgated by the licensee shall be filed with the lottery commission~~
2 ~~with copies to the general assembly and the department of health no later than March 1, 2005.~~

3 ~~(f) Commencing January 1, 2005, any pari-mutual licensee shall file an annual report with~~
4 ~~the lottery commission with copies to the general assembly and department of health detailing~~
5 ~~smoke mitigation efforts undertaken by the licensee during the previous year and plans for the~~
6 ~~upcoming year. The licensee shall be required to monitor air quality with current appropriate~~
7 ~~technology. A professional HVAC engineer (or other appropriate professional) shall certify the~~
8 ~~monitoring process and results. The results of the monitoring process shall be included in the annual~~
9 ~~report.~~

10 ~~(g) Any enactment relating to the provisions of this section on pari-mutual facilities or~~
11 ~~licensees shall be by statute as enacted by the general assembly, provided however that the general~~
12 ~~assembly may by statute delegate such authority to the cities and towns.~~

13 SECTION 2. Chapter 42-61.3 of the General Laws entitled "Casino Gaming" is hereby
14 amended by adding thereto the following section:

15 **42-61.3-5. Funding.**

16 The general assembly shall appropriate a one-time fund for the sum of one million dollars
17 (\$1,000,000) for fiscal year commencing July 1, 2024, to fund the cessation of smoking in any pari
18 mutual facility established pursuant to chapter 3.1 or 7 of title 41, or chapter 61.2 of title 42. The
19 funds appropriated shall be used to educate and inform patrons of the smoke free policy within the
20 pari mutual facilities.

21 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO HEALTH AND SAFETY -- PUBLIC HEALTH AND WORKPLACE SAFETY
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1 This act would repeal the exemption granted to pari mutual facilities and casinos from the
2 smoke free workplace requirement contained in the Public Health and Workplace Safety Act, and
3 provides for a one-time appropriation of funds of one million dollars (\$1,000,000) for the fiscal
4 year commencing July 1, 2024, to pari mutual facilities and casinos to educate and inform patrons
5 of the smoke free policy within the facilities.

6 This act would take effect upon passage.

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