



Sen. John M. Sullivan

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09500SB2006sam001

LRB095 18821 MJR 47609 a

1 AMENDMENT TO SENATE BILL 2006

2 AMENDMENT NO. _____. Amend Senate Bill 2006 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Smoke Free Illinois Act is amended by
5 changing Section 35 as follows:

6 (410 ILCS 82/35)

7 Sec. 35. Exemptions. Notwithstanding any other provision
8 of this Act, smoking is allowed in the following areas:

9 (1) Private residences or dwelling places, except when
10 used as a child care, adult day care, or healthcare
11 facility or any other home-based business open to the
12 public.

13 (2) Retail tobacco stores as defined in Section 10 of
14 this Act in operation prior to the effective date of this
15 amendatory Act of the 95th General Assembly. The retail
16 tobacco store shall annually file with the Department by

1 January 31st an affidavit stating the percentage of its
2 gross income during the prior calendar year that was
3 derived from the sale of loose tobacco, plants, or herbs
4 and cigars, cigarettes, pipes, or other smoking devices for
5 smoking tobacco and related smoking accessories. Any
6 retail tobacco store that begins operation after the
7 effective date of this amendatory Act may only qualify for
8 an exemption if located in a freestanding structure
9 occupied solely by the business and smoke from the business
10 does not migrate into an enclosed area where smoking is
11 prohibited.

12 (3) Private and semi-private rooms in nursing homes and
13 long-term care facilities that are occupied by one or more
14 persons, all of whom are smokers and have requested in
15 writing to be placed or to remain in a room where smoking
16 is permitted and the smoke shall not infiltrate other areas
17 of the nursing home.

18 (4) Hotel and motel sleeping rooms that are rented to
19 guests and are designated as smoking rooms, provided that
20 all smoking rooms on the same floor must be contiguous and
21 smoke from these rooms must not infiltrate into nonsmoking
22 rooms or other areas where smoking is prohibited. Not more
23 than 25% of the rooms rented to guests in a hotel or motel
24 may be designated as rooms where smoking is allowed. The
25 status of rooms as smoking or nonsmoking may not be
26 changed, except to permanently add additional nonsmoking

1 rooms.

2 (5) Common smoking rooms in long-term care facilities
3 operated under the authority of the Illinois Department of
4 Veterans' Affairs that are accessible only to residents who
5 are smokers and have requested in writing to have access to
6 the common smoking room where smoking is permitted and the
7 smoke shall not infiltrate other areas of the long-term
8 care facility.

9 (Source: P.A. 95-17, eff. 1-1-08.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.".