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## Health and Welfare; prohibitions on smoking-public buildings

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## Health and Welfare; prohibitions on smoking—public buildings

NEV. REV. STAT. § 202.2491 (amended).  
SB 25 (Wagner); 1989 STAT. Ch. 705  
AB 728 (Garner); 1989 STAT. Ch. 409

Chapter 705 prohibits tobacco smoking in any public building,<sup>1</sup> except in designated smoking rooms or areas.<sup>2</sup> Chapter 705 requires persons in control of a school district, state hospital, medical office,<sup>3</sup> hotel, motel, restaurant, supermarket, grocery store, or child care facility<sup>4</sup> to post signs prohibiting smoking except in designated smoking areas.<sup>5</sup> Persons in control of a state hospital, medical office, hotel, motel, restaurant, supermarket, grocery store, or child care facility may also designate separate rooms or distinct areas of the building where smoking may be permitted.<sup>6</sup> However, Chapter 705 requires persons in control of a public building to designate separate rooms or distinct areas for smoking.<sup>7</sup>

Chapter 409 prohibits tobacco smoking in any child care facility,<sup>8</sup> except in separate rooms or designated smoking areas.<sup>9</sup> Rooms or areas in child care facilities where smoking is permitted must be isolated or well-ventilated so that the smoke does not have adverse effects elsewhere in the facility.<sup>10</sup>

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1. A public building is any building owned by the University of Nevada which is used for university purposes; or any building owned by the State of Nevada or any county, city, or school district which is used for a public purpose. 1989 Nev. Stat. ch. 705, sec. 1, at 1626 (amending NEV. REV. STAT. § 202.2491).

2. *Id.*

3. *See id.* (medical offices include those of physicians, chiropractors, dentists, physical therapists, podiatrists, psychologists, opticians, optometrists, or doctors of traditional Oriental medicine).

4. *See* NEV. REV. STAT. §§ 432A.010-.220 (1987) (definition and licensing requirements of a child care facility). Chapter 409 only applies to child care facilities licensed to provide care for more than 12 children. 1989 Nev. Stat. ch. 705, sec. 1, at 1626 (amending NEV. REV. STAT. § 202.2491).

5. 1989 Nev. Stat. ch. 705, sec. 1, at \_\_\_ (amending NEV. REV. STAT. § 202.2491).

6. *Id.* A school district need not provide a room or area for tobacco smoking by students.  
*Id.*

7. *Id.* Chapter 705 also requires persons in control of a public building to post signs prohibiting smoking in those areas not designated for that purpose. *Id.*

8. *See* NEV. REV. STAT. § 432A.010-.220 (1987) (definition and licensing requirements of a child care facility). Chapter 409 only applies to child care facilities licensed to provide care for more than 12 children. 1989 Nev. Stat. ch. 409, sec. 1, at 870 (amending NEV. REV. STAT. § 202.2491).

9. 1989 Nev. Stat. ch. 409, sec. 1, at \_\_\_ (amending NEV. REV. STAT. § 202.2491).

10. *Id.*

