

**PROPOSITION 206**  
**I-22-2006; ARIZONA NON-SMOKER PROTECTION ACT**

**ANALYSIS BY LEGISLATIVE COUNCIL**

Currently, state statutes provide that smoking tobacco is prohibited in certain areas and most state buildings. A person who smokes where smoking is prohibited is guilty of a petty offense. Several cities and towns also have restrictions on smoking in public places.

Proposition 206 would prohibit smoking in all public places and places of employment, except as provided by the proposition. These exceptions include:

1. Bars, including parts of restaurants, hotels and other establishments that sell alcoholic beverages and are physically separated with a separate ventilation system.
2. Retail tobacco stores that are physically separated and independently ventilated.
3. Veterans and fraternal clubs when they are not open to the public.
4. Hotel rooms designated as smoking rooms.
5. Outdoor patios.

Proposition 206 would prohibit a minor from entering a bar that permits smoking.

Proposition 206 also would prescribe notice and other requirements for operating establishments to implement the smoking restrictions. In addition, an employer could not retaliate against an employee for exercising any rights provided by the proposition.

A bar owner who violated the proposition would be guilty of a class 3 misdemeanor. Any other violation would be a petty offense.

Proposition 206 would preempt all city, town and county laws relating to smoking in bars and retail tobacco stores.