

# SENATE BILL No. 898

December 1, 1999, Introduced by Senator SHUGARS and referred to the Committee on Gaming and Casino Oversight.

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.226) by adding section 10a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 10A. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), A  
2 PERSON WHO HOLDS A CASINO LICENSE ISSUED UNDER THIS ACT SHALL NOT  
3 PERMIT AN INDIVIDUAL TO ENGAGE IN SMOKING IN A PUBLIC AREA OF A  
4 CASINO.

5        (2) A PERSON WHO HOLDS A CASINO LICENSE ISSUED UNDER THIS  
6 ACT MAY PERMIT AN INDIVIDUAL TO SMOKE IN 1 OR MORE DESIGNATED  
7 AREAS THAT ENCOMPASS A TOTAL OF NOT MORE THAN 50% OF THE GAMING  
8 AREA OF A CASINO.

9        (3) THE BOARD SHALL UTILIZE COMPLIANCE OR NONCOMPLIANCE WITH  
10 THIS SECTION IN THE DETERMINATION OF WHETHER TO DENY, SUSPEND, OR  
11 REVOKE A LICENSE UNDER SECTION 6.

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1 (4) AS USED IN THIS SECTION:

2 (A) "PUBLIC AREA" MEANS THE ENCLOSED, INDOOR AREA OWNED OR  
3 OPERATED BY A PERSON WHO HOLDS A CASINO LICENSE UNDER THIS ACT  
4 THAT IS USED BY THE GENERAL PUBLIC. PUBLIC AREA DOES NOT INCLUDE  
5 A PRIVATE, ENCLOSED ROOM OR OFFICE OCCUPIED EXCLUSIVELY BY A  
6 SMOKER, EVEN IF THE ROOM OR ENCLOSED OFFICE MAY BE VISITED BY A  
7 NONSMOKER.

8 (B) "SMOKING" MEANS THAT TERM AS DEFINED IN SECTION 12905 OF  
9 THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.12905.