

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Address Smoking in Senior Housing

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §1580-E is enacted to read:

§ 1580-E. Smoking in assisted housing

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Assisted housing" means a facility for senior citizens that:

(1) Qualifies as an assisted living program as defined in section 7852, subsection 2; or

(2) Is funded, licensed or otherwise regulated by the department.

B. "Smoking" means carrying or having in one's possession a lighted cigarette, cigar, pipe or other object giving off or containing any substance giving off tobacco smoke.

2. Prohibition. Beginning January 1, 2008, a person may not smoke tobacco or any other substance in any enclosed area of assisted housing or within 100 yards of assisted housing.

Sec. 2. Rules regarding smoking in assisted housing. The Department of Health and Human Services, Office of Elder Services shall adopt routine technical rules, as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, to implement the requirements of this Act.

SUMMARY

This bill prohibits smoking in assisted housing or within 100 yards of assisted housing. "Assisted housing" is defined as a facility for senior citizens that is an assisted living program or that is funded, licensed or otherwise regulated by the Department of Health and Human Services. The prohibition takes effect January 1, 2008.