

By: Coleman

H.B. No. 3404

A BILL TO BE ENTITLED

AN ACT

relating to the use of cigarettes and tobacco products at state hospitals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 552, Health and Safety Code, is amended by adding Section 552.002 to read as follows:

Sec. 552.002. CIGARETTES AND TOBACCO PRODUCTS. (a) In this section:

(1) "Cigarette" has the meaning assigned by Section 154.001, Tax Code.

(2) "Tobacco product" has the meaning assigned by Section 155.001, Tax Code.

(b) The department shall permit the possession, delivery, and use of cigarettes and tobacco products by patients and staff of state hospitals.

(c) The department shall provide for the designation by the superintendent of each state hospital of approved areas in which patients and staff of the state hospital are permitted to use cigarettes and tobacco products. The approved areas must be accessible to the patients and staff.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2003.