



State of Tennessee
PUBLIC CHAPTER NO. 296

SENATE BILL NO. 1936

By McNally

Substituted for: House Bill No. 1470

By Haynes, Ramsey, Shipley, Armstrong, Tindell, Hurley, Hardaway, Dean, Alexander

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 68, relative to regulation of smoking by local governments with respect to hospitals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-1551, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection (b):

(b)(1) Notwithstanding subsection (a) or any other provision of this title, a municipality, a county or a county having a metropolitan form of government is authorized by local ordinance or resolution to prohibit smoking on the grounds of a hospital or in the public areas immediately outside of a hospital building and its entrances, including public sidewalks.

(2) Any regulation or ordinance that is passed or adopted by a local government pursuant to the authority granted by this subsection (b) may prohibit smoking by a distance of up to fifty (50) feet from a hospital's entrance unless the application of a fifty (50) foot limit would place hospital patients in a potentially unsafe condition. In which case the fifty (50) foot limit shall be extended to such distance as is necessary to ensure patient safety as determined by the local government's legislative body in consultation with representatives of any hospitals that are subject to the regulation or ordinance.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 1936

PASSED: May 16, 2011



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 27 day of May 2011



BILL HASLAM, GOVERNOR