

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

292I0666

## SENATE BILL NO. 192

Introduced by: Senator Reedy and Representatives Nesselhuf and Schafer

1 FOR AN ACT ENTITLED, An Act to prohibit smoking in public.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 22-36-2 be amended to read as follows:

4 22-36-2. No person may smoke tobacco or carry any lighted tobacco product in any public  
5 place or place of employment. ~~This section does not apply to any sleeping room in a lodging~~  
6 ~~establishment as defined in § 34-18-1, to any on-sale licensee pursuant to chapter 35-4, to any~~  
7 ~~video lottery licensed establishment pursuant to chapter 42-7A, to any licensee pursuant to~~  
8 ~~chapter 42-7B, or to any tobacco or packaged liquor store if the store is primarily used for the~~  
9 ~~sale of tobacco or alcoholic beverages, or both, and the sale of other products is merely~~  
10 ~~incidental.~~

11 A violation of this section is a petty offense.

