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University Bill for *Smoke Free Environments at the University of Houston*

Whereas, secondhand smoke is classified as a “known human carcinogen” by the US Environmental Protection Agency (EPA), the US National Toxicology Program, and the International Agency for Research on Cancer (IARC), a branch of the World Health Organization, and;

Whereas, tobacco smoke contains at least 172 toxic substances, including 3 regulated outdoor air pollutants, 33 Hazardous Air Pollutants, 47 Chemicals restricted as Hazardous Waste and 67 Known Human or Animal Carcinogens (Repace, 2006). This is true whether tobacco smoke is inhaled in the act of smoking, or inhaled by nonsmokers out of the air indoors or outdoors, and;

Whereas, the University of Houston’s Manual of Administrative Policies and Procedures (MAPP) document 07.02.02 prohibits smoking within 15 feet of all entrances in order to protect any member of the University of Houston campus community or visitor from unwanted smoke, and;

Whereas, the University of Houston has failed to enforce MAPP 07.02.02, and;

Whereas, most of the on campus ashtrays are conveniently placed within 5 feet of all entrances, encouraging smokers to frequent this area, and;

Whereas, the University of Houston should attempt to limit the exposure of secondhand smoke to nonsmokers because according to the Surgeon General, scientific evidence shows that there is no safe level of exposure to secondhand smoke, and;

Whereas, that the responsibility of the SGA is to grant a TIER One education and experience to all University of Houston students, and;

Whereas, inherent in the University of Houston’s Student Government’s responsibilities is to protect the health of its students and a provide an environment free of harm for all students, faculty, staff, and visitors, and;

THEREFORE BE IT ENACTED BY THE SENATE OF THE 48TH STUDENT GOVERNMENT ASSOCIATION OF THE UNIVERSITY OF HOUSTON THAT:

Section 1: The University of Houston shall revise MAPP 07.02.02 as follows:

I. PURPOSE AND SCOPE

This document establishes the smoking policy of the University of Houston. The purpose of this document is to:

- A. Protect any member of the University of Houston campus community or visitor from unwanted smoke.
- B. Protect life and property where smoking would present a safety and/or fire hazard.

II. DEFINITIONS

To Smoke and Smoking: Creating smoke by lighting a cigarette, cigar, pipe, electronic cigarette, or other smoking product. These terms also mean to puff on, carry, or hold a lighted cigarette, cigar, pipe or other tobacco product or to be in possession of a burning tobacco product.

III. POLICY

- A. The Texas Administrative Code, Title 1; Part 5: Chapter 116, Subchapter A, Rule 116.9 Air Quality prohibits smoking in all state buildings. Smoking is hereby prohibited inside all facilities and vehicles owned or leased by the University of Houston, regardless of location (except as noted in Section C below). This ban on indoor smoking is applicable but not limited to the following areas
 1. Academic Areas including classrooms, lecture halls, libraries, seminar rooms, clinical rooms, computing facilities, research laboratories and individual faculty offices.
 2. Conference rooms, auditoriums, exhibition areas, indoor athletic facilities, theaters, food service areas, waiting rooms and retail service areas;
 3. Office reception areas, customer service areas, and all offices including administrative offices, staff offices and offices of student organizations;
 4. Common/public areas, including lounges, hallways, stairwells, elevators, lobbies, waiting rooms, locker rooms and restrooms; and
 5. Storage rooms and rooms containing flammable liquids or fumes, toxic chemicals, radioactive chemicals or biohazards.
- B. Smoking is also prohibited in the following outdoor areas:
 1. Every University-owned or leased motor vehicle;
 2. Every University-owned or leased outdoor area in which smoking would present a fire or safety risk, including the covered Arbor area and on the terraces of the University Center; and
 3. Every University-owned or leased outdoor stadium or event area where spectators and/or participants are crowded together.
 4. Within 25 feet of any entrance to every building on campus.
 5. Under covered pathways, including but not limited to the PGH Breezeway, the breezeway between Cougar Village and Moody Towers dining hall, the breezeway between Engineering Building 1 and Engineering Building 2, and the breezeway between Cynthia Wood Mitchell Center for the Arts/Wortham Theater and the Jack J. Valenti School of Communication.
 6. At the Satellite dining patio.
 7. At all University of Houston bus stops.

8. Along the following major walking pathways:
 - a. All pathways adjacent to the MD Anderson Library and Butler Plaza
 - b. All pathways adjacent to the Recreation and Wellness Center
 - c. The pathways along the University Center perimeter
- C. The exceptions to this policy are as follows:
 1. Leased public facilities where a government smoking ordinance or regulation shall govern;
 2. The Hilton Hotel on campus, where specific areas shall be clearly designated smoking and non-smoking according to a plan approved by the President or his/her designee;
 3. Smoking is permitted by artists and actors who participate in authorized performances that required smoking as part of artistic productions, and by participants in academic research projects involving smoking if approved by the President or his/her designee; and
 4. The President has the option to designate additional temporary smoking space as he or she deems appropriate.
- D. The sale of cigarettes, cigars and pipes is prohibited on campus with the exception that such items may be sold by the University or those with whom it contracts at the Hilton hotel, the University Center and its Satellite and in the Residence Halls.

IV. IMPLEMENTATION

- A. Receptacles for extinguishing lighted cigarettes, cigars and pipes shall be placed at least 35 feet away from all buildings and are prohibited from areas where smoking is not allowed.
- B. "No smoking" signs shall be posted at all building entrances and at appropriate places throughout each building. Each sign should have the UH Fire Department's number and UH Dispatch number on it. Areas where smoking is permitted shall be clearly marked by those in control of the respective spaces.

V. ENFORCEMENT

- A. The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and non-smokers. All employees, faculty and students share in the responsibility of adhering to and enforcing the policy.
- B. All problems which cannot be resolved informally should, in the first instance, be brought to the attention of the appropriate supervisor and handled through the normal chain of command. Faculty and staff who violate this MAPP will be subject to the same disciplinary actions that accompany infractions of other University rules. Students who violate this MAPP shall be subject to discipline under the University's student university life disciplinary procedures as set forth in the Student Handbook. Visitors who refuse to comply with this MAPP may be asked to leave the campus.
- C. The Texas Penal Code prohibits persons from smoking in the following areas: Elevator; enclosed theater or movie house; library; museum; hospital or transit system bus. Violators are subject to fines not to exceed \$500 (Title 10, Texas Penal Code, Chapter 48; Section 48.01. Smoking Tobacco