

Higher Education Committee

HB 1409

Brief Description: Prohibiting smoking in publicly owned residence halls at public institutions of higher education.

Sponsors: Representatives Quall, Cox, Schual-Berke, Ogden, Kenney, Edmonds, Lantz, Kagi, McIntire, Ruderman and Rockefeller.

Brief Summary of Bill

- *Prohibits smoking in publicly owned residence halls at public institutions of higher education.*

Hearing Date: 2/9/01

Staff: Tracey Taylor (786-7196).

Background:

According to "Reducing Tobacco Use," a 2000 report of the U.S. Surgeon General, tobacco use remains the number one cause of preventable disease and death in the United States. Exposure to tobacco smoke in the environment can cause lung cancer, heart disease and 150,000 to 300,000 lower respiratory tract infections per year in adult nonsmokers.

The Washington Clean Indoor Air Act prohibits smoking in "public places" except in designated smoking areas. A "public place" means "that portion of any building . . . used by and open to the public," including educational facilities. See RCW 70.160.020(2). This law does not apply to a private residence.

Courts across the country have held that students living in residence halls in public universities have a general expectation of privacy as to their rooms. The Washington State Court of Appeals has held that a dorm room was a private residence for the purposes of the 4th Amendment protection.

Summary of Bill:

Smoking is prohibited in publicly owned residence halls at public institutions of higher education, including a student's dorm room.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.