

**BOARD OF GOVERNORS
STATE UNIVERSITY SYSTEM OF FLORIDA
March 27, 2008**

SUBJECT: Repeal Board of Governors Regulation 10.009 for Smoking in Public Buildings

PROPOSED BOARD ACTION

Repeal of Regulation 10.009 relating to Smoking in Public Buildings.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Section 7(d), Art. IX, Florida Constitution

BACKGROUND INFORMATION

Regulation 10.009 for Repeal of Smoking in Public Buildings was approved for public notice at the January 2008 meeting.

Regulation 6C-10.009 Smoking in Public Buildings regulation was adopted for the purpose of implementing Section 255.27, Florida Statutes, which has been eliminated. Section 20, Article X of the state constitution prohibits tobacco smoking in enclosed indoor workplaces. This prohibition was adopted in 2002. Additionally, the constitution states that "... nothing in this section or in its implementing legislation or regulations shall prohibit the owner, lessee, or other person in control of the enclosed indoor workplace from further prohibiting or limiting smoking there." The Constitution charges the Legislature with implementing this section, which has been done via the Florida Clean Indoor Air Act, 386.201-386.212 FS.

No public comments or amendments were made to this regulation.

Supporting Documentation Included: Copy of Regulation for Repeal

Facilitators/Presenters: Mr. Chris Kinsley, Director, Finance and Facilities