
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1549 Session of
2013

INTRODUCED BY ROZZI, SCHLOSSBERG, V. BROWN, MAHONEY, FRANKEL,
COHEN, MIRANDA, SIMS AND DAVIS, JUNE 18, 2013

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 18, 2013

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting use of tobacco in
3 recreational areas; and imposing a penalty.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 7518. Use of tobacco in recreational areas prohibited.

9 (a) Offense defined.--A person who uses tobacco in a
10 recreational area commits a summary offense.

11 (b) Nature of offense.--

12 (1) A first offense under subsection (a) shall not be a
13 criminal offense of record, shall not be reportable as a
14 criminal act and shall not be placed on the criminal record
15 of the offender.

16 (2) A second and subsequent offense under subsection (a)
17 shall be a criminal offense of record, shall be reportable as
18 a criminal act and shall be placed on the criminal record of

1 the offender.

2 (c) Posting of notice.--Notice of the prohibition in
3 subsection (a) shall be posted conspicuously at each public
4 entrance to each recreational area, and no person shall be
5 convicted of an offense under subsection (a) if the notice was
6 not so posted at the public entrance to the recreational area,
7 unless the person had actual notice of the prohibition in
8 subsection (a).

9 (d) Definitions.--As used in this section, the following
10 words and phrases shall have the meanings given to them in this
11 subsection:

12 "Recreational area." An outdoor park, playground, play area
13 or sports field, including a similar facility located on public
14 or private school grounds or on State, municipal or county park
15 grounds, which is primarily designed to be used by minors and
16 has play or sports equipment installed or is designated or
17 landscaped for play or sports activities.

18 "Tobacco." A cigarette, cigar, pipe tobacco or other smoking
19 tobacco product or smokeless tobacco in any form.

20 Section 2. This act shall take effect in 60 days.