

A Bill for an Act Relating to Smoking in Public Places.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 328K-1, Hawaii Revised Statutes, is amended by amending the definition of “restaurant” to read as follows:

““Restaurant” means any retail eating establishment where meals or food are served or provided for on-site consumption by seated patrons that is authorized by the department of health to operate as a [restaurant;] food service establishment, except:

- (1) Any [restaurant] food service establishment with a seating capacity of fifty or fewer patrons;
- (2) Any [restaurant] food service establishment while it is being used solely for private parties or gatherings;
- (3) Any enclosed room of a [restaurant<sup>1</sup>] food service establishment or a banquet room<sup>2</sup> solely for private parties or gatherings;
- (4) Any private [restaurant] food service establishment or club [to] in which only members or their guests are permitted;
- (5) Any seating area completely outside the building housing the [restaurant;] food service establishment; or
- (6) Bars.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 10, 1993.)

**Notes**

- 1. Prior to amendment “;” appeared here.
- 2. Prior to amendment “used” appeared here.