



26           386.209 Regulation of smoking preempted to state.—This  
27 part expressly preempts regulation of smoking to the state and  
28 supersedes any county or municipal ~~municipal or county~~ ordinance  
29 on the subject, except as expressly authorized by this part,  
30 ~~however, school districts may further restrict smoking by~~  
31 ~~persons on school district property.~~ This section does not  
32 preclude the adoption of county or municipal ~~municipal or county~~  
33 ordinances that impose more restrictive regulation on the use of  
34 vapor-generating devices than is provided in this part.

35           (1) School districts may further restrict smoking by  
36 persons on school district property.

37           (2) Counties and municipalities may further restrict  
38 smoking within the boundaries of any public beaches and public  
39 parks that they own. A municipality may further restrict smoking  
40 within the boundaries of public beaches and public parks that  
41 are within its jurisdiction but are owned by the county, unless  
42 such restriction conflicts with a county ordinance.

43           (3) Counties and municipalities may further restrict  
44 smoking or vaping within 25 feet of a public entrance or exit of  
45 any business located within the boundaries of its jurisdiction.  
46 This subsection does not apply to:

47           (a) A stand-alone bar;

48           (b) A retail tobacco shop;

49           (c) A vapor-generating electronic device retailer; or

50           (d) Any other business that derives no more than 10

51 percent of its gross revenue from the sale of food consumed on  
 52 the licensed premises.

53 Section 4. Paragraph (h) of subsection (3) of section  
 54 381.84, Florida Statutes, is amended to read:

55 381.84 Comprehensive Statewide Tobacco Education and Use  
 56 Prevention Program.—

57 (3) PROGRAM COMPONENTS AND REQUIREMENTS.—The department  
 58 shall conduct a comprehensive, statewide tobacco education and  
 59 use prevention program consistent with the recommendations for  
 60 effective program components contained in the 1999 Best  
 61 Practices for Comprehensive Tobacco Control Programs of the CDC,  
 62 as amended by the CDC. The program shall include the following  
 63 components, each of which shall focus on educating people,  
 64 particularly youth and their parents, about the health hazards  
 65 of tobacco and discouraging the use of tobacco:

66 (h) *Enforcement and awareness of related laws.*—In  
 67 coordination with the Department of Business and Professional  
 68 Regulation, the program shall monitor the enforcement of laws,  
 69 rules, and policies prohibiting the sale or other provision of  
 70 tobacco to minors, as well as the continued enforcement of the  
 71 Florida Clean Indoor Air Act prescribed in chapter 386. The  
 72 advertisements produced in accordance with paragraph (a) may  
 73 also include information designed to make the public aware of  
 74 these related laws and rules. The departments may enter into  
 75 interagency agreements to carry out this program component.

76 Section 5. Section 386.211, Florida Statutes, is amended  
77 to read:

78 386.211 Public announcements in mass transportation  
79 terminals.—Announcements about the Florida Clean ~~Indoor~~ Air Act  
80 shall be made regularly over public address systems in terminals  
81 of public transportation carriers located in metropolitan  
82 statistical areas with populations over 230,000 according to the  
83 latest census. These announcements shall be made at least every  
84 30 minutes and shall be made in appropriate languages. Each  
85 announcement must include a statement to the effect that Florida  
86 is a clean ~~indoor~~ air state and that smoking and vaping are  
87 prohibited except as provided in this part.

88 Section 6. This act shall take effect July 1, 2022.