

1 S.259

2 Introduced by Senator McCormack

3 Referred to Committee on

4 Date:

5 Subject: Commerce and trade; residential rental agreements; smoke-free rental
6 housing

7 Statement of purpose of bill as introduced: This bill proposes to require that in
8 a building with four or more dwelling units at least one-half of the rented
9 dwelling units be smoke free.

10 An act relating to smoke-free rental housing

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 9 V.S.A. chapter 137, §§ 4451–4469a are designated as:

13 Subchapter 1. Rental Agreements

14 Sec. 2. 9 V.S.A. chapter 137, subchapter 2 is added to read:

15 Subchapter 2. Rental Housing Health Standards

16 § 4469b. SMOKE-FREE RENTAL HOUSING

17 (a) As used in this section:

18 (1) “Commissioner” means the Commissioner of Health.

1 (2) “Dwelling unit” means a building or the part of a building that is
2 used as a home, residence, or sleeping place by one or more persons who
3 maintain a household.

4 (3) “Landlord” means the owner or the owner’s agent of a dwelling unit
5 or of the building of which it is a part.

6 (4) “Rental agreement” means all agreements, written or oral,
7 embodying terms and conditions concerning the use and occupancy of a
8 dwelling unit and premises.

9 (5) “Smoke-free dwelling unit” means a dwelling unit in which the
10 possession of lighted tobacco products in any form is prohibited.

11 (6) “Tenant” means a person entitled under a rental agreement to occupy
12 a dwelling unit to the exclusion of others.

13 (7) “Tobacco products” has the same meaning as in 7 V.S.A. § 1001.

14 (b)(1) A landlord shall ensure that, in any building with four or more
15 dwelling units, no fewer than one-half of the rented dwelling units be
16 smoke-free dwelling units.

17 (2) For each smoke-free dwelling unit, a landlord shall, at a minimum,
18 either:

19 (A) develop and maintain a written occupancy policy or rules that
20 prohibit the possession of any form of lighted tobacco products in the dwelling
21 unit; or

