

**FLORIDA BOARD OF GOVERNORS  
NOTICE OF APPROVED REGULATION AND AMENDMENTS**

Date: February 1, 2008

**REGULATION TITLES AND NUMBERS:** 10.009 Smoking in Public Buildings

**SUMMARY:**

Recommended for repeal; Regulation 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.

**FULL TEXT OF THE REGULATION:** The full text of the proposed amended regulation is posted on BOG's Website at [www.flbog.org](http://www.flbog.org). The full text of the existing regulation is posted on BOG's Web site at [www.flbog.org/BOG\\_regs](http://www.flbog.org/BOG_regs). In addition, the full text of the regulation is available upon request to the Office of the Chancellor, which can be contacted at (850) 245-0466.

**AUTHORITY TO ADOPT/ AMEND/ REPEAL REGULATION:** Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

**BOARD OF GOVERNORS' OFFICIAL INITIATING ADOPTION/ AMENDMENT/  
REPEAL OF REGULATIONS:**

Chris Kinsley, Director, Finance and Facilities

**COMMENTS REGARDING ADOPTION/ AMENDMENT/ REPEAL OF REGULATIONS  
SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO  
THE CONTACT PERSON IDENTIFIED BELOW.** The comments must identify the regulation(s) on which you are commenting.

**THE PERSON TO BE CONTACTED REGARDING ADOPTION/ AMENDMENT/  
REPEAL OF REGULATION IS:** Vikki R. Shirley, General Counsel, Board of Governors,  
State University System 325 W. Gaines Street, Tallahassee, Florida 32399, (850) 245-  
0466 (phone), (850) 245-9685 (fax), [generalcounsel@flbog.org](mailto:generalcounsel@flbog.org).

**For Repeal**

6C-10.009 Smoking in Public Buildings.

For the purpose of implementing Section 255.27, Florida Statutes, State policy concerning smoking in public buildings, and the enforcing guidelines set forth therein, the following persons are designated supervisors as contemplated by that law: the Chancellor for the offices of the Board and the presidents for buildings of the universities.

*History - Formerly Implemented F.S. 240.209(1), (3)(m), 255.27. Formerly Rule 6C-10.09, New- 5-10-78, Amended 8-11-85.*