

# **Feigenholtz plan gives condo associations the power to OK smoking restrictions**

State Rep. Sara Feigenholtz introduced legislation last Thursday to give Illinois condominium associations the authority to restrict smoking in multi-unit buildings.

Since 2006, smoking in most public spaces and private businesses has been banned under the Smoke-free Illinois Act.

Private residences, including those in multi-unit buildings, were exempt from the ban.

"Secondhand smoke can cause health problems ranging from a sore throat to asthma symptoms to lung cancer," said Rep. Feigenholtz. "If a condo resident's smoking can imperil a neighbor's health, then condominium associations should be able to impose building smoking restrictions."

However, condominium associations are permitted to include restrictions and policies regarding the use of tobacco products in their bylaws. Feigenholtz's legislation, House Bill 4134 codifies this right for the first time in the state's Condominium Property Act to ensure that communities that want to go smoke free can do so, with the authority to enforce the policy.

"Secondhand smoke travels through buildings and can acutely compromise the health of children and seniors," Feigenholtz said. "This legislation will encourage condominium associations to opt-in into existing law and update their bylaws to address resident tobacco use without placing any mandates or requirements on the associations to do so."

Similar legislation, introduced in 2009, stalled in the Senate. Rep. Feigenholtz's bill will be considered by the House during the upcoming spring session.

For more information call (773) 296-4141.