

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2015 REGULAR SESSION
Unofficial Document

Amend printed copy of HB 145

On page 1, after line 10 by inserting the following:

"(2) "Cigar bar" means an establishment, or area within an establishment, that is open to the public and is designated for the smoking of premium handmade cigars, purchased on the premises or elsewhere;"; and

On page 1, line 11 by deleting "2" and inserting in lieu thereof "3"; and

On page 1, line 14 by deleting "3" and inserting in lieu thereof "4"; and

On page 1 line 17 by deleting "4" and inserting in lieu thereof "5"; and

On page 1, line 20 by deleting "5" and inserting in lieu thereof "6"; and

On page 1, line 25 by deleting "6" and inserting in lieu thereof "7"; and

On page 1, line 27 by deleting "7" and inserting in lieu thereof "8"; and

On page 2, line 8 by deleting "8" and inserting in lieu thereof "9"; and

On page 2, line 19 by deleting "9" and inserting in lieu thereof "10"; and

On page 2, line 26 by deleting "10" and inserting in lieu thereof "11"; and

On page 3, line 8 by deleting "11" and inserting in lieu thereof "12"; and

On page 8, line 11 by deleting the second occurrence of the word "or"; and

On page 8, line 13 by deleting ":" and inserting in lieu thereof "; or"; and

On page 8, after line 7 by inserting the following:

Amendment No. HFA 2

Sponsor: Brad Montell

Committee Amendment: _____

Signed: _____

Floor Amendment: _____

LCR Drafter: Scott, Jonathan

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXXX

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- "(7) A cigar bar that meets the criteria stated in this subsection. The Department for Public Health shall permit an exemption to Sections 1 to 6 of this Act for cigar bars that meet the following criteria:
- (a) Within thirty (30) days of the effective date of this Act and by January 31 of each subsequent year the owner or operator of a cigar bar shall file an affidavit with the department stating that it complies with the requirements of this subsection;
 - (b) For each calendar year after the first calendar year that the affidavit required under this subsection is filed the cigar bar shall generate twenty-five percent (25%) or more of its total gross annual income from the on-site sale of cigars, accessories, and the rental of on-site humidors;
 - (c) The cigar bar is located on premises that are physically separated from any areas of the same or adjacent establishment where smoking is prohibited pursuant to Sections 1 to 6 of this Act, and smoke does not infiltrate into the physically separated areas. As used in this paragraph, "physically separated" means an area that is enclosed on all sides by any combination of solid walls, windows, or doors that extend from the floor to the ceiling;
 - (d) The cigar bar has installed on its premises an on-site humidor;
 - (e) The cigar bar prohibits entry to a person under the age of twenty-one (21) during the time that the cigar bar is open for business;
 - (f) The cigar bar allows only the smoking of cigars on the premises that retail for over two dollars (\$2) per cigar;
 - (g) The cigar bar prohibits the smoking of all other tobacco products; and
 - (h) The cigar bar has adequate air circulation, and an air filtration system that turns the air over a minimum of fourteen (14) times per hour, and which is also equipped with air purification and smoke eater units."