

1 AN ACT relating to cigar bars.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 65 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Cigar bar" means an establishment that:*

7 *1. Holds a valid license or permit for the on-premises consumption of*  
8 *alcoholic beverages;*

9 *2. Generates a portion of its gross income from the on-site sale of cigars*  
10 *and the rental of humidors;*

11 *3. Does not knowingly sell products or services, or permit entrance to the*  
12 *premises, to persons under twenty-one (21) years of age; and*

13 *4. Does not permit the use of electronic cigarettes or vapor products or*  
14 *the smoking of products other than cigars inside the premises; and*

15 *(b) "Local government" means a city, county, urban-county government,*  
16 *consolidated local government, charter county government, unified local*  
17 *government, or special district.*

18 *(2) An ordinance, rule, or policy adopted by a local government that prohibits or*  
19 *otherwise restricts smoking shall not prohibit or restrict the smoking of cigars*  
20 *within the interior space of a cigar bar. Any ordinance, rule, or policy to the*  
21 *contrary shall be unenforceable as it relates to a cigar bar.*

22 *(3) (a) A cigar bar that shares a physical wall or common, enclosed air space with*  
23 *any other structure shall be constructed in a manner or implement*  
24 *measures to ensure that smoke from the cigar bar does not pass into the*  
25 *interior or enclosed air spaces of those other structures.*

26 *(b) The owner of a cigar bar shall provide a smoke-free space for the delivery of*  
27 *supplies, mail, and other items to the premises by persons other than*

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*employees and patrons of the cigar bar.*