

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1149 be amended to read as follows:

- 1 Page 3, delete lines 1 through 20, begin a new line block indented
- 2 and insert:
- 3 **"(5) An establishment owned or leased by a business that**
- 4 **meets the following requirements:**
- 5 **(A) The business was in business and permitted smoking on**
- 6 **July 1, 2013.**
- 7 **(B) The business prohibits entry by an individual who is**
- 8 **less than twenty-one (21) years of age.**
- 9 **(C) The owner or operator of the business holds a beer,**
- 10 **liquor, or wine retailer's permit.**
- 11 **(D) The business limits smoking in the establishment to**
- 12 **either:**
- 13 **(i) cigar smoking; or**
- 14 **(ii) smoking with a waterpipe or hookah device.**
- 15 **(E) During the preceding calendar year, at least ten**
- 16 **percent (10%) of the business's annual gross income was**
- 17 **from:**
- 18 **(i) the sale of cigars and the rental of onsite humidors; or**
- 19 **(ii) the sale of loose tobacco for use in a waterpipe or**
- 20 **hookah device.**

1 **(F) The person in charge of the business posts in the**
2 **establishment conspicuous signs that display the message**
3 **that cigarette smoking is prohibited."**

(Reference is to EHB 1149 as printed February 24, 2012.)

Senator ALTING