

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2288
Page Section Lines
Of the printed Bill
Of the Engrossed Bill

Section 2: page 3, line 7, after the word "establishment" by adding the following punctuation and words:

", licensed by the Oklahoma Tax Commission for the retail sale of tobacco products and in existence as of November 1, 2019,";

On page 3, line 9, after the word "premises" by adding the following punctuation and words:

". Cigar bars derive at least thirty-five percent (35%) of its quarterly gross receipts, verified by competent authority, from the sale and consumption of tobacco products and accessories, and no person under twenty-one (21) years of age is admitted";

Section 4: page 11, line 24, by inserting a new subsection C as follows:

"C. The Oklahoma Workplace Clean Air Act shall not apply to cigar bars.";

Section 6: page 12, line 4, by deleting "twenty-five (25) feet" and inserting in lieu thereof "fifteen (15) feet";

On page 13, lines 6 and 7, by deleting paragraph 6 in its entirety;

On page 13, line 10, by deleting "twenty-five (25) feet" and inserting in lieu thereof "fifteen (15) feet";

On page 13, line 14, by deleting "twenty-five (25) feet" and inserting in lieu thereof "fifteen (15) feet";

On page 13, line 16, by deleting "twenty-five (25) feet" and inserting in lieu thereof "fifteen (15) feet";

On page 13, line 18, by deleting "twenty-five (25) feet" and inserting in lieu thereof "fifteen (15) feet";

On page 13, line 20, by adding after the word and punctuation "subdivisions;" the word "and"

On page 13, line 21 through page 14, line 3, by deleting paragraph 13 in its entirety;

On page 14, line 8-9, by deleting "twenty-five (25) feet" and inserting in lieu thereof "fifteen (15) feet";

On page 14, line 10, by adding after "prohibited." a new sentence: "Outdoor common areas do not include private patios or balconies.";

And by renumbering subsequent paragraphs.

Section 18: page 23, line 14, by deleting paragraph F and by inserting in lieu thereof a new paragraph F to read as follows:

"(Insert Attached)"

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Harold Wright

Adopted: _____

Reading Clerk

1 ~~"F. The restrictions provided in this section shall not apply~~
2 ~~to stand-alone bars, stand-alone taverns and cigar bars as defined~~
3 ~~in Section 1-1522 of Title 63 of the Oklahoma Statutes.~~

4 ~~G.~~ The restrictions provided in this section shall not apply to
5 the following:

6 ~~1. The room or rooms where licensed charitable bingo games are~~
7 ~~being operated, but only during the hours of operation of such~~
8 ~~games;~~

9 ~~2. Up to twenty five percent (25%) of the guest rooms at a~~
10 ~~hotel or other lodging establishment;~~

11 ~~3. Retail tobacco stores predominantly engaged in the sale of~~
12 ~~tobacco products and accessories and in which the sale of other~~
13 ~~products is merely incidental and in which no food or beverage is~~
14 ~~sold or served for consumption on the premises;~~

15 ~~4.~~ 1. Workplaces where only the owner or operator of the
16 workplace, ~~or the immediate family of the owner or operator,~~
17 ~~performs any work in the workplace,~~ and the workplace has only
18 incidental public access. "Incidental public access" means that a
19 place of business has only an occasional person, who is not an
20 employee, present at the business ~~to transact business or make a~~
21 ~~delivery.~~ It does not include businesses that depend on walk-in
22 customers for any part of their business;

23 ~~5.~~ 2. Workplaces occupied exclusively by one or more smokers,
24 if the workplace has only incidental public access;

1 ~~6.~~ 3. Private offices occupied exclusively by one or more
2 smokers;

3 ~~7.~~ ~~Workplaces within private residences, except that smoking~~
4 ~~shall not be allowed inside any private residence that is used as a~~
5 ~~licensed child care facility during hours of operation;~~

6 ~~8.~~ 4. Medical research or treatment centers, if smoking is
7 integral to the research or treatment;

8 ~~9.~~ 5. A facility operated by a post or organization of past or
9 present members of the Armed Forces of the United States which is
10 exempt from taxation pursuant to Section 501(c)(8), 501(c)(10) or
11 501(c)(19) of the Internal Revenue Code, 26 U.S.C., Section
12 501(c)(8), 501(c)(10) or 501(c)(19), when such facility is utilized
13 exclusively by its members and their families and for the conduct of
14 post or organization nonprofit operations except during an event or
15 activity which is open to the public; and

16 10. Any outdoor seating area of a restaurant; provided, smoking
17 shall not be allowed within fifteen (15) feet of any exterior public
18 doorway or any air intake of a restaurant."

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