



General Assembly

January Session, 2003

Amendment

LCO No. 5522

SB0090805522SD0

Offered by:

SEN. LEBEAU, 3rd Dist.

SEN. MURPHY, 16th Dist.

To: Subst. Senate Bill No. 908

File No. 87

Cal. No. 100

(As Amended)

"AN ACT CONCERNING SECONDHAND SMOKE IN WORK PLACES."

1 Strike subparagraph (E) of subdivision (1) of subsection (b) of
2 section 1 in its entirety and insert in lieu thereof:

3 "(E) in any area of an establishment with a permit issued for the sale
4 of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-22, 30-
5 22c, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-37c, 30-37e or 30-
6 37f, in any area of an establishment with a permit for the sale of
7 alcoholic liquor pursuant to section 30-23 issued after May 1, 2003,
8 and, on and after April 1, 2004, in any area of an establishment with a
9 permit issued for the sale of alcoholic liquor pursuant to section 30-22a
10 or 30-26;"

11 Strike subdivision (2) of subsection (b) of section 1 in its entirety and
12 insert the following in lieu thereof:

13 (2) This section shall not apply to (A) correctional facilities; (B)
14 designated smoking areas in psychiatric facilities; (C) public housing
15 projects, as defined in subsection (b) of section 21a-278a; (D)
16 classrooms where demonstration smoking is taking place as part of a
17 medical or scientific experiment or lesson; (E) smoking rooms
18 provided by employers for employees, pursuant to section 31-40q, as
19 amended by this act; (F) notwithstanding the provisions of
20 subparagraph (E) of subdivision (1) of this subsection, the outdoor
21 portion of the premises of any permittee listed in subparagraph (E) of
22 subdivision (1) of this subsection, provided, in the case of any seating
23 area maintained for the service of food, at least seventy-five per cent of
24 the outdoor seating capacity is an area in which smoking is prohibited
25 and which is clearly designated with written signage as a nonsmoking
26 area, except that any temporary seating area established for special
27 events and not used on a regular basis shall not be subject to the
28 smoking prohibition or signage requirements of this subparagraph; or
29 (G) any tobacco bar, provided no tobacco bar shall expand in size or
30 change its location from its size or location as of December 31, 2002.
31 For purposes of this subdivision, "outdoor" means an area which has
32 no roof or other ceiling enclosure, "tobacco bar" means an
33 establishment with a permit for the sale of alcoholic liquor to
34 consumers issued pursuant to chapter 545 that, in the calendar year
35 ending December 31, 2002, generated ten per cent or more of its total
36 annual gross income from the on-site sale of tobacco products and the
37 rental of on-site humidors, and "tobacco product" means any substance
38 that contains tobacco, including, but not limited to, cigarettes, cigars,
39 pipe tobacco or chewing tobacco."

40 Strike subdivision (4) of subsection (a) of section 2 in its entirety,
41 and insert the following in lieu thereof:

42 "(4) "Business facility" means a structurally enclosed location or
43 portion thereof at which [twenty or more] employees perform services
44 for their employer. The term "business facility" shall not include: (A)
45 Facilities listed in subparagraph (A), (C) or (G) of subdivision (2) of
46 subsection (b) of section 19a-342, as amended by this act; (B) any

47 establishment with a permit for the sale of alcoholic liquor pursuant to
48 section 30-23 issued on or before May 1, 2003; (C) for any business that
49 is engaged in the testing or development of tobacco or tobacco
50 products, the areas of such business designated for such testing or
51 development; or (D) during the period from October 1, 2003, to April 1,
52 2004, establishments with a permit issued for the sale of alcoholic
53 liquor pursuant to section 30-22a or 30-26."