

SENATE BILL No. 1209

March 13, 2008, Introduced by Senators CLARK-COLEMAN, THOMAS, SCOTT, CLARKE, OLSHOVE, BASHAM, PAPPAGEORGE, GLEASON, CHERRY and HUNTER and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 12608b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 12608B. (1) ON OR BEFORE THE EXPIRATION OF 90 DAYS AFTER
2 THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT SHALL DEVELOP
3 AND DISSEMINATE A PUBLIC AWARENESS CAMPAIGN ABOUT THE HEALTH RISKS
4 ASSOCIATED WITH AND LEGAL REQUIREMENTS RELATED TO HOOKAH TOBACCO
5 USE. THE DEPARTMENT SHALL INCLUDE ALL OF THE FOLLOWING IN THE
6 PUBLIC AWARENESS CAMPAIGN DEVELOPED UNDER THIS SECTION:

7 (A) ALL KNOWN EFFECTS HOOKAH TOBACCO USE HAS ON AN
8 INDIVIDUAL'S HEALTH.

9 (B) ALL KNOWN HEALTH RISKS ASSOCIATED WITH THE USE OF A HOOKAH
10 TO SMOKE HOOKAH TOBACCO, INCLUDING THE IMPORTANCE OF CLEANING AND

1 SANITIZING THE HOOKAH AFTER EACH USE.

2 (C) ALL PERTINENT FEDERAL, STATE, OR LOCAL LAWS, RULES,
3 ORDINANCES, REGULATIONS, GUIDELINES, AND OTHER LEGAL PRONOUNCEMENTS
4 REGARDING THE SALE, TAXATION, STORAGE, OR HANDLING OF HOOKAH
5 TOBACCO, INCLUDING THE PROHIBITION ON THE SALE OF TOBACCO PRODUCTS
6 TO MINORS.

7 (D) ANY OTHER INFORMATION THE DEPARTMENT CONSIDERS
8 APPROPRIATE.

9 (2) AS USED IN THIS SECTION:

10 (A) "HOOKAH" MEANS A TOBACCO PIPE IN WHICH THE SMOKE IS DRAWN
11 THROUGH WATER BEFORE REACHING THE LIPS AND INCLUDES A NARGHILE OR
12 OTHER SIMILAR INSTRUMENT.

13 (B) "HOOKAH TOBACCO" MEANS A NONCIGARETTE SMOKING TOBACCO THAT
14 IS SMOKED USING A HOOKAH, WHICH TOBACCO MAY BE FLAVORED OR
15 SWEETENED.

16 (C) "NONCIGARETTE SMOKING TOBACCO" MEANS THAT TERM AS DEFINED
17 IN SECTION 2 OF THE TOBACCO PRODUCTS TAX ACT, 1993 PA 327, MCL
18 205.422.

19 (D) "TOBACCO PRODUCT" MEANS A PRODUCT THAT CONTAINS TOBACCO
20 AND IS INTENDED FOR HUMAN CONSUMPTION, INCLUDING, BUT NOT LIMITED
21 TO, A CIGARETTE, NONCIGARETTE SMOKING TOBACCO, OR SMOKELESS
22 TOBACCO, AS THOSE TERMS ARE DEFINED IN SECTION 2 OF THE TOBACCO
23 PRODUCTS TAX ACT, 1993 PA 327, MCL 205.422, AND CIGARS.