

PROHIBIT BUSINESS TRANSFER OF SMOKING BAN EXEMPTION

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House Bill 4651 (proposed H-1)
Sponsor: Rep. Sam Singh
Committee: Regulatory Reform

Complete to 9-29-14

A SUMMARY OF HOUSE BILL 4651 (PROPOSED SUBSTITUTE H-1)

House Bill 4651 would amend Section 12606A of the Public Health Code by prohibiting a cigar bar or tobacco specialty retail store from transferring an exemption from the indoor smoking ban to another cigar bar or tobacco specialty store without the approval of the local government unit with jurisdiction over the new location.

The bill also would specify that an exemption only applies to the location the bar or store inhabited on the date the exemption was originally granted. However, this would not invalidate the transfer of an exemption for a cigar bar or tobacco specialty retail store that was authorized by the Department of Community Health prior to September 1, 2013.

Section 12606A of the code states that a cigar bar or a tobacco specialty retail store operating on May 1, 2010, the date that this section became effective, would be exempt from the smoking ban if it met certain criteria regarding its operation. The bar or store also must file a yearly affidavit certifying that the establishment still meets those criteria.

MCL 333.12606A

FISCAL IMPACT:

House Bill 4651 as introduced has no significant fiscal impact on the Department of Community Health. The department manages the process for monitoring and administering the exemptions, and the bill would have a minimal impact on that process. Local units of government may be affected by a request to approve the transfer of an exemption, but this would not have a significant fiscal impact on the local entity.

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