

HB1064\_L.011

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.

HB22-1064 be amended as follows:

1 Amend printed bill, page 7, line 12, strike "(4.5)" and substitute "(1.3),  
2 (4.5), (9.5),".

3 Page 7, after line 15 insert:

4 "(1.3) "CIGAR LOUNGE" MEANS AN ESTABLISHMENT THAT:  
5 (a) IS EXEMPTED FROM INDOOR SMOKING RESTRICTIONS UNDER  
6 SECTION 25-14-205;  
7 (b) IN THE CALENDAR YEAR ENDING DECEMBER 31, 2022, AND FOR  
8 EACH CALENDAR YEAR THEREAFTER, GENERATES NINETY PERCENT OR  
9 MORE OF ITS REVENUE FROM THE SALE FOR ON-SITE CONSUMPTION OF  
10 PREMIUM CIGARS;  
11 (c) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1.3):  
12 (I) HAS NOT CHANGED OWNERSHIP;  
13 (II) HAS NOT EXPANDED IN SIZE OR CHANGED ITS LOCATION; AND  
14 (III) HAS NOT BEEN CLOSED FOR MORE THAN SIXTY CONSECUTIVE  
15 DAYS; AND  
16 (d) DOES NOT PERMIT ON ITS PREMISES:  
17 (I) AN INDIVIDUAL UNDER TWENTY-ONE YEARS OF AGE;  
18 (II) THE CONSUMPTION OF FOOD OR ALCOHOL BEVERAGES; AND  
19 (III) ANY PERFORMANCE OF LIVE ENTERTAINMENT, INCLUDING  
20 PERFORMANCES BY SINGERS, MUSICIANS, DISC JOCKEYS, DANCERS, OR  
21 COMEDIANS."

22 Page 7, after line 23 insert:

23 "(9.5) "PREMIUM CIGAR" MEANS A CIGAR THAT:  
24 (a) IS HANDMADE;  
25 (b) IS NOT MASS PRODUCED THROUGH USE OF MECHANIZATION;  
26 (c) HAS A WRAPPER THAT IS MADE ENTIRELY FROM WHOLE  
27 TOBACCO LEAF;  
28 (d) HAS A FILLER COMPOSED OF AT LEAST FIFTY PERCENT NATURAL  
29 LONG-LEAF FILLER TOBACCO;  
30 (e) DOES NOT HAVE A FILTER, TIP, OR NONTOBACCO MOUTHPIECE;  
31 (f) IS CAPPED BY HAND; AND  
32 (g) HAS A WHOLESALE PRICE PER CIGAR OF NO LESS THAN:  
33 (I) FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2022,  
34 TWELVE DOLLARS; AND  
35 (II) FOR CALENDAR YEAR 2023, AND FOR EACH CALENDAR YEAR  
36 THEREAFTER, TWELVE DOLLARS PLUS THE AMOUNT REFLECTING ANY  
37 PERCENTAGE INCREASE IN THE UNITED STATES DEPARTMENT OF LABOR'S

1 BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR  
2 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS AND ALL URBAN  
3 CONSUMERS, OR ITS SUCCESSOR INDEX."

4 Page 9, after line 1 insert:

5 "(4) THIS SECTION DOES NOT APPLY TO A PREMIUM CIGAR SOLD AT  
6 A CIGAR LOUNGE FOR ON-SITE CONSUMPTION."

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