

HB1064_L.015

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 "(4.5),
2 (5.3), (5.5), (11.5),".

3 Page 7, before line 24 insert:

4 "(5.3) "HOOKAH" MEANS A TYPE OF WATER PIPE:

5 (a) USED TO SMOKE SHISHA TOBACCO PRODUCTS OR OTHER
6 TOBACCO PRODUCTS;

7 (b) THAT HAS A LONG, FLEXIBLE TUBE TO DRAW AEROSOL
8 THROUGH WATER; AND

9 (c) WITH COMPONENTS THAT MAY INCLUDE HEADS, STEMS, BOWLS,
10 AND HOSES.

11 (5.5) "HOOKAH RETAILER" MEANS A RETAILER THAT:

12 (a) IN THE CALENDAR YEAR ENDING DECEMBER 31, 2022, AND FOR
13 EACH CALENDAR YEAR THEREAFTER, GENERATES _____ PERCENT OR MORE
14 OF ITS REVENUE FROM THE SALE OF SHISHA TOBACCO PRODUCTS AND
15 SHISHA TOBACCO ACCESSORIES;

16 (b) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (5.5):

17 (I) HAS NOT CHANGED OWNERSHIP;

18 (II) HAS NOT CHANGED ITS LOCATION OR EXPANDED IN SIZE; AND

19 (III) HAS NOT BEEN CLOSED FOR MORE THAN SIXTY CONSECUTIVE
20 DAYS; AND

21 (c) DOES NOT PERMIT ON ITS PREMISES AN INDIVIDUAL UNDER
22 TWENTY-ONE YEARS OF AGE.

23 (11.5) (a) "SHISHA TOBACCO PRODUCT" MEANS A TOBACCO
24 PRODUCT THAT IS SMOKED OR INTENDED TO BE SMOKED IN A HOOKAH.

25 (b) "SHISHA TOBACCO PRODUCT" INCLUDES, AND MAY BE
26 REFERRED TO AS, HOOKAH TOBACCO, WATER PIPE TOBACCO, MAASSEL,
27 NARGHILE, OR ARGILEH."

28 Page 8, line 3, strike "**presumption.**" and substitute "**presumption -
29 exemption.**".

30 Page 9, after line 1 insert:

31 "(4) THIS SECTION DOES NOT APPLY TO THE SALE, OFFER FOR SALE,
32 ADVERTISING FOR SALE, DISPLAYING, OR MARKETING OF SHISHA TOBACCO
33 PRODUCTS BY A HOOKAH RETAILER."

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