

HB1076\_L.002

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.

HB19-1076 be amended as follows:

- 1 Amend printed bill, page 3, line 19, strike "(7) and (16); **repeal** (1) and  
2 (18);" and substitute "(7), (16), and (18); **repeal** (1);".
- 3 Page 4, strike lines 25 through 27.
- 4 Page 5, strike lines 1 and 2 and substitute:  
5 "(18) "Tobacco business" means a sole proprietorship,  
6 corporation, partnership, or other enterprise engaged primarily in the sale,  
7 manufacture, or promotion of tobacco, tobacco products, or smoking  
8 devices or accessories, INCLUDING ESDS, either at wholesale or retail, and  
9 in which the sale, manufacture, or promotion of other products is merely  
10 incidental."
- 11 Page 5, line 4, strike "(1)(k)(II)," and substitute "(1)(k)," and strike "and  
12 (1)(cc);" and substitute "(1)(cc), and (2); **repeal** (1)(q);".
- 13 Page 5, line 5, strike "(1)(dd)" and substitute "(1)(dd), (1)(ee), (1)(ff), and  
14 (3)".
- 15 Page 5, after line 10 insert:  
16 "(k) (I) Any place of employment that is not exempted, WHETHER  
17 OR NOT OPEN TO THE PUBLIC AND REGARDLESS OF THE NUMBER OF  
18 EMPLOYEES."
- 19 Page 5, line 11, strike "(k)".
- 20 Page 5, after line 16 insert:  
21 "~~(q) Restrooms, lobbies, hallways, and other common areas in~~  
22 ~~hotels and motels, and in at least seventy-five percent of the sleeping~~  
23 ~~quarters within a hotel or motel that are rented to guests;".~~
- 24 Page 5, line 18, strike "and," and substitute "and".
- 25 Page 5, line 19, strike "AND ASSISTED LIVING FACILITIES,".
- 26 Page 5, line 24, strike "AND".
- 27 Page 5, after line 24 insert:

1           "(dd) HOTEL AND MOTEL ROOMS;  
2           (ee) ASSISTED LIVING FACILITIES, INCLUDING NURSING FACILITIES  
3 AS DEFINED IN SECTION 25.5-4-103 AND ASSISTED LIVING RESIDENCES AS  
4 DEFINED IN SECTION 25-27-102; AND".

5 Page 5, line 25, strike "(dd)" and substitute "(ff)".

6 Page 5, line 26, strike "(1)(cc)" and substitute "(1)(ee)".

7 Page 5, after line 26 insert:

8           "(2) A cigar-tobacco bar:

9           (a) Shall not expand its size or change its location from the size  
10 and location in which it existed as of December 31, 2005; ~~A~~  
11 ~~cigar-tobacco bar~~ AND

12           (b) Shall PROHIBIT ENTRY BY ANY PERSON UNDER EIGHTEEN YEARS  
13 OF AGE AND SHALL display signage in at least one conspicuous place and  
14 at least four inches by six inches in size stating: "Smoking allowed.  
15 Children under eighteen years of age ~~must be accompanied by a parent or~~  
16 ~~guardian~~ MAY NOT ENTER."

17           (3) A RETAIL TOBACCO BUSINESS SHALL PROHIBIT ENTRY BY ANY  
18 PERSON UNDER EIGHTEEN YEARS OF AGE AND SHALL DISPLAY SIGNAGE IN  
19 AT LEAST ONE CONSPICUOUS PLACE AND AT LEAST FOUR INCHES BY SIX  
20 INCHES IN SIZE STATING: "SMOKING ALLOWED. CHILDREN UNDER  
21 EIGHTEEN YEARS OF AGE MAY NOT ENTER.""

22 Page 6, line 1, strike "portion;" and substitute "portion, (1)(g), and (1)(i);"  
23 and strike "(1)(d),".

24 Page 6, strike line 8.

25 Page 6, after line 9 insert:

26           "(g) The outdoor area of any business; OR".

27 Page 6, after line 12 insert:

28           "(i) A private, nonresidential building on a farm or ranch, as  
29 defined in section 39-1-102, ~~C.R.S.~~, that has annual gross income of less  
30 than five hundred thousand dollars. ~~or~~".

31 Page 6, line 21, strike "**repeal** 25-14-206" and substitute "25-14-206,  
32 **amend** (1); and **repeal** (2)".

33 Page 6, strike lines 23 through 27.

34 Page 7, strike lines 1 and 2 and substitute:

35           "**25-14-206. Optional prohibitions.** (1) The owner or manager

1 of any place not specifically listed in section 25-14-204, including a place  
2 otherwise exempted under section 25-14-205 may post signs prohibiting  
3 smoking. ~~or providing smoking and nonsmoking areas.~~ Such posting shall  
4 have the effect of including such place ~~or the designated nonsmoking~~  
5 ~~portion thereof,~~ in the places where smoking is prohibited or restricted  
6 pursuant to this part 2."

7 Page 7, line 3, strike "(2)" and substitute "(2)".

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