

Adopted	Rejected
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COMMITTEE REPORT

YES:	9
NO:	3

MR. SPEAKER:

*Your Committee on Public Health, to which was referred House Bill 1018, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 12, delete "Smoking" and insert "**Except as provided**
- 2 **in section 3.5 of this chapter, smoking**".
- 3 Page 2, between lines 10 and 11, begin a new paragraph and insert:
- 4 "**Sec. 3.5. (a) Except as provided in subsection (c) and section 9**
- 5 **of this chapter, smoking is allowed in the following establishments:**
- 6 **(1) A horse racing facility operated under a permit under**
- 7 **IC 4-31-5.**
- 8 **(2) A riverboat (as defined in IC 4-33-2-17) and any other**
- 9 **permanent structure that is:**
- 10 **(A) owned or leased by the owner of the riverboat; and**
- 11 **(B) located on land that is adjacent to:**
- 12 **(i) the dock to which the riverboat is moored; or**
- 13 **(ii) the land on which the riverboat is situated in the case**
- 14 **of a riverboat described in IC 4-33-2-17(2).**
- 15 **(3) A facility that operates under a gambling game license**

- 1 **under IC 4-35-5.**
 - 2 **(4) A satellite facility licensed under IC 4-31-5.5.**
 - 3 **(5) A retail tobacco store used primarily for the sale of**
 - 4 **tobacco products and accessories that, before July 1, 2011,**
 - 5 **meets the following requirements:**
 - 6 **(A) The establishment prohibits entry by an individual who**
 - 7 **is less than eighteen (18) years of age.**
 - 8 **(B) The sale of products other than tobacco is merely**
 - 9 **incidental.**
 - 10 **(C) The sale of tobacco products accounts for at least**
 - 11 **eighty percent (80%) of the store's income.**
 - 12 **(D) Food or beverages are not sold for consumption on the**
 - 13 **premises, and there is not an area set aside for customers**
 - 14 **to consume food or beverages on the premises.**
 - 15 **(b) Notwithstanding section 5(a)(1) of this chapter, the official**
 - 16 **in charge of the establishment that allows smoking under this**
 - 17 **section shall post conspicuous signs that read "Smoking Is Allowed**
 - 18 **In This Establishment" or other similar language.**
 - 19 **(c) This section does not allow smoking in the following enclosed**
 - 20 **areas:**
 - 21 **(1) Any hallway, elevator, or other common area where an**
 - 22 **individual who is less than eighteen (18) years of age is**
 - 23 **permitted.**
 - 24 **(2) Any room that is intended for use by an individual who is**
 - 25 **less than eighteen (18) years of age."**
- (Reference is to HB 1018 as introduced.)

and when so amended that said bill do pass.

Representative Brown T