



Senate Fiscal Agency
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Senate Bill 466 (as reported without amendment)
Sponsor: Senator Kristen McDonald Rivet
Committee: Regulatory Affairs

CONTENT

The bill would amend Part 126 (Smoking in Public Places) of the Public Health Code to allow a cigar bar that met specified conditions and whose smoking ban exemption had lapsed to requalify for the exemption if the owner or operator of the bar filed an affidavit certifying those conditions.

Generally, Part 126 prohibits smoking in public places, in places of employment, and in food service establishments. This prohibition took effect on May 1, 2010; however, cigar bars that were in existence on May 1, 2010, were grandfathered in and exempt from the prohibition so long as the owner of the cigar bar filed an affidavit with the Department of Health and Human Services before May 1, 2010, and refiles an affidavit annually on January 31.

MCL 333.12606a

BRIEF RATIONALE

Currently, to operate a cigar bar an individual must be grandfathered into the exemption or a new owner could purchase an existing bar and take over that bar's license. According to testimony before the Senate Committee on Regulatory Affairs, a certain cigar bar was unable to file a necessary affidavit during the sale of the bar, and the new owner is unable to operate the establishment. It has been suggested that this cigar bar be given a chance to refile and reclaim the bar's smoking ban exemption.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 10-9-23

Fiscal Analyst: Ellyn Ackerman