

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 39 (Delegate Frush)
Environmental Matters

**Occupational Safety and Health Standards - Emergency Regulations - Smoking
in Bars**

This bill repeals the exemption to occupational health and safety standards that allow the smoking of tobacco products in bars, taverns, or clubs, including bars in hotels, motels, and restaurants. Smoking would only be permitted in establishments that have a separate, enclosed area that does not exceed 40% of the area of the restaurant.

Fiscal Summary

State Effect: The bill would not materially affect State operations or finances. Enforcement activities could be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: Potential meaningful. To the extent that establishments do not have separate enclosed areas for smoking and choose to construct such an area, they will incur increased expenditures, which could be significant. However, there will be other establishments that can comply with the bill's requirements without incurring additional expenditures. Any effect the bill might have on any given establishment's customer base cannot be reliably predicted.

Analysis

Current Law: Bars and establishments with bar areas are exempt from the ban on indoor smoking of tobacco products.

Additional Information

Prior Introductions: This bill was introduced as HB 303 during the 2000 session. It received an unfavorable report from the Environmental Matters Committee.

Cross File: None.

Information Source(s): Comptroller of the Treasury (Alcohol and Tobacco Tax Division), Department of Legislative Services

Fiscal Note History: First Reader – January 19, 2001
cm/jr

Analysis by: Michael Sanelli

Direct Inquires to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510