

BY: Conference Committee

**AMENDMENTS TO SENATE BILL 91, AS AMENDED**  
(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1 of the bill, in line 8, after “public” insert “, beginning on a certain date,”.

On page 2 of the bill, in line 3, strike “declaring that nothing in this Act shall” and substitute “providing that certain provisions of law may not”; in line 5, strike “providing for a delayed effective date;”; and in line 36, strike “24-510” and substitute “24-511”.

On page 1 of the Economic Matters Committee Amendments (SB0091/323097/1), in line 4 of Amendment No. 1, after “circumstances” insert “before a certain date; providing that a certain waiver terminates on a certain date”; and in lines 11 and 12, strike “Secretary of Health and Mental Hygiene” and substitute “health officer of a county”.

**AMENDMENT NO. 2**

On page 2 of the Economic Matters Committee Amendments, in Amendment No. 2, strike beginning with “**SHOP**” in line 13 down through “**PRODUCTS**” in line 16 and substitute “**BUSINESS THAT IS A SOLE PROPRIETORSHIP, LIMITED LIABILITY COMPANY, CORPORATION, PARTNERSHIP, OR OTHER ENTERPRISE, IN WHICH:**

**(I) THE PRIMARY ACTIVITY IS THE RETAIL SALE OF TOBACCO PRODUCTS AND ACCESSORIES; AND**

**(II) THE SALE OF OTHER PRODUCTS IS INCIDENTAL**”.

(Over)

AMENDMENT NO. 3

On page 5 of the Economic Matters Committee Amendments, in line 17 of Amendment No. 3, strike "THE SECRETARY, IN CONSULTATION WITH THE COMPTROLLER," and substitute "WITHIN 90 DAYS FROM THE RECEIPT OF AN APPLICATION FOR A WAIVER AND THE DATE THAT ALL CONDITIONS FOR THE APPLICATION FOR A WAIVER REQUIRED IN THE REGULATIONS ADOPTED BY THE SECRETARY HAVE BEEN SATISFIED, THE HEALTH OFFICER OF A COUNTY".

On page 6 of the Economic Matters Committee Amendments, in line 10 of Amendment No. 3, after "SECTION" insert "."

(D) (1) A WAIVER MAY NOT BE GRANTED UNDER SUBSECTION (A) OF THIS SECTION ON OR AFTER JANUARY 31, 2011.

(2) A WAIVER GRANTED UNDER SUBSECTION (A) OF THIS SECTION TERMINATES ON JANUARY 31, 2011".

AMENDMENT NO. 4

On page 10 of the bill, in line 5, after "SUBTITLE," insert "BEGINNING ON FEBRUARY 1, 2008,".

On page 18 of the bill, in line 22, strike "January 1, 2008" and substitute "October 1, 2007".

AMENDMENT NO. 5

On page 13 of the bill, after line 4, insert:

"NOTHING IN THIS SUBTITLE SHALL BE CONSTRUED TO PREEMPT A COUNTY OR MUNICIPAL GOVERNMENT FROM ENACTING AND ENFORCING MORE

**STRINGENT MEASURES TO REDUCE INVOLUNTARY EXPOSURE TO  
ENVIRONMENTAL TOBACCO SMOKE.**

**24-511.**”.

On page 18 of the bill, strike in their entirety lines 17 through 20, inclusive; and in line 21, strike “4.” and substitute “3.”.