

HB0359/513627/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 359
(Third Reading File Bill)

AMENDMENT NO. 1

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

On page 2, in line 3, after “circumstances” insert “before a certain date; providing that a certain waiver terminates on a certain date”; in lines 16 and 17, strike “Secretary of Health and Mental Hygiene” and substitute “health officer of a county”; in line 18, strike “declaring that nothing in this Act shall” and substitute “providing that certain provisions of law may not”; and in line 20, strike “providing for a delayed effective date;”.

On page 3, in line 7, strike “24-510” and substitute “24-511”.

AMENDMENT NO. 2

On page 11, strike beginning with “**SHOP**” in line 4 down through “**PRODUCTS**” in line 14 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”.

AMENDMENT NO. 3

On page 14, in line 16, strike “**THE SECRETARY, IN CONSULTATION WITH THE COMPTROLLER,**” and substitute “**WITHIN 90 DAYS FROM THE RECEIPT OF AN**

(Over)

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 15, after line 4, 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, in line 8, after “**SUBTITLE,**” insert “**BEGINNING ON FEBRUARY 1, 2008,**”.

AMENDMENT NO. 5

On page 15, after line 5, 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 22, strike in their entirety lines 1 through 4, inclusive; in line 5, strike “4.” and substitute “3.”; and in line 6, strike “January 1, 2008” and substitute “October 1, 2007”.