



February 19, 2026

The Honorable Melissa Wells  
Chair, Government, Labor, and Elections Committee  
145 Lowe House Office Building  
Annapolis, Maryland 21401

**RE: HB 766 - Retail Tobacco Businesses and Establishment of a Premium Cigar Lounge Alcoholic Beverages License (Maryland Premium Cigar Lounge Act of 2026)**

Dear Chair Wells:

The Maryland State Council on Cancer Control (“the Council”) submits this letter of concern for House Bill 766 (“HB 766”), titled: “Retail Tobacco Businesses and Establishment of a Premium Cigar Lounge Alcoholic Beverages License (Maryland Premium Cigar Lounge Act of 2026).” HB 766, as drafted, would establish a license to allow for the consumption of alcoholic beverages in conjunction with cigar smoking on the same premises, including alcoholic beverages brought onto the premises by patrons. This license would then operate as an exception to the Clean Indoor Air Act (“CIAA”).

**Background: The Clean Indoor Air Act**

In 2007, the Maryland General Assembly passed the CIAA. The CIAA adopted minimum comprehensive and uniform statewide protections from exposure to secondhand smoke in places of employment and public places, including, but not limited to, stores, restaurants, and bars.

The CIAA defines “Smoking” to include “the burning of a lighted cigarette, **cigar**, pipe, or other substance that contains tobacco.” The CIAA further defines “Indoor area open to the public” to include “an indoor area of any establishment licensed . . . **for the sale of alcoholic beverages**.” With certain exceptions, the CIAA unequivocally prohibits “smoking” in “an indoor area open to the public.” Notably, HB 766 permits this exposure in places of employment, raising particular concern for workers who may be subjected to secondhand smoke as a condition of employment.

**Impact of HB 766 on Statewide Public Health Protections**

The Council is concerned that HB 766 erodes the protection of the CIAA. Indeed, based upon the language highlighted above and the proposed amendment to the CIAA, HB 766 will effectively eliminate current protection from second-hand smoke emitted by cigars in licensed establishments across Maryland. Moreover, HB 766 establishes a statewide framework authorizing local licensing boards to issue premium cigar lounge licenses, thereby normalizing exemptions from the Clean Indoor Air Act and further undermining



its uniform statewide protections. Additionally, the Council is concerned that future legislation could extend the license contemplated by HB 766 to other types of tobacco products.

### **Cancer Prevention and Secondhand Smoke Exposure**

Although HB 766 limits alcohol service to beverages brought onto the premises by patrons, this distinction does not mitigate the bill's impact on exposure to secondhand cigar smoke or its erosion of the Clean Indoor Air Act's cancer-prevention protections. Unquestionably, the CIAA has reduced exposure in Maryland to the carcinogens of secondhand smoke. Further, there is a clear causal relationship between the carcinogens of secondhand smoke and lung cancer, and links between secondhand smoke and other cancers.

As a result, HB 766 seeks to reverse protections of the CIAA and establishes a framework that may facilitate further rollbacks of longstanding public health safeguards. Preserving the integrity of the Clean Indoor Air Act remains essential to protecting Maryland residents and workers from preventable cancer risks.

As the State Council is tasked with identifying policies to reduce the cancer burden in Maryland, the Council submits this letter of concern.

Sincerely,

A handwritten signature in blue ink, appearing to read "Taofeek Owonikoko".

Taofeek Owonikoko, MD  
Chair  
Maryland State Council on Cancer Control