



Joint Letter House Bill 766  
Government, Labor and Elections  
February 16, 2026  
Opposition

Chair Wells, Vice-Chair Kerr and Members of the Government, Labor and Elections Committee:

Thank you for the opportunity to provide comments on House Bill 766 – Retail Tobacco Business & Establishment of Premium Cigar Lounge Alcoholic Beverages License (Maryland Premium Cigar Lounge Act of 2026) sponsored by Delegate Johnson. The American Lung Association, American Heart Association, Campaign for Tobacco-Free Kids, and the American Cancer Society Cancer Action Network **strongly oppose** this bill as it would provide an exemption to Maryland’s smoke-free law.

As written, the proposed legislation significantly undermines the strong smoke-free workplace protections currently in place in Maryland. The proposed legislation allows for the establishment of Cigar Lounges which can also sell beer, wine and liquor across the state. This change would expand businesses that are exempt from the smoke-free law and allow indoor smoking.

This insertion of the ability to apply for both an alcohol and cigar license creates a significant loophole in indoor smoking protections and could allow more places within Maryland to permit smoking that previously did not. If passed, the legislation would make it easier to exempt establishments in Maryland from the smoke-free law which weakens decades of progress in preventing exposure to secondhand smoke.

Research has clearly demonstrated that there is no safe level of exposure to toxic secondhand smoke.<sup>1</sup> While ventilation or air purification systems are sometimes promoted as a way to reduce exposure to secondhand smoke, ventilation cannot remove all secondhand smoke and does not purify the air at rates fast enough to protect people from harmful toxins. The U.S. Surgeon General has concluded that even separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate exposure of nonsmokers to secondhand smoke. The only effective way to fully protect nonsmokers from exposure to secondhand smoke is to completely eliminate smoking in indoor public spaces.<sup>2</sup>

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Secondhand smoke is also an occupational hazard for many workers. Job related exposure to secondhand smoke is a significant, but entirely preventable, cause of premature death among U.S. workers. The National Institute of Occupational Health and Safety (NIOSH) and the US Surgeon General found that occupational exposure to secondhand smoke increases workers' risk of lung cancer and other diseases. Patrons were also found to have significantly elevated levels of a tobacco-specific lung carcinogen after a four-hour visit to a casino that allowed smoking.<sup>3 4</sup> The American Society of Heating, Refrigerating and Air-Conditioning Engineers states that the only way to eliminate indoor exposure to environmental tobacco smoke is to eliminate all indoor smoking activity. Requesting that an employee sign a waiver acknowledging their exposure is not acceptable.

The American Lung Association, American Heart Association, Campaign for Tobacco-Free Kids, and the American Cancer Society Cancer Action Network thank Maryland lawmakers for their continued commitment to the health and wellbeing of the residents of Maryland and the desire to protect Marylanders from exposure to secondhand smoke. The American Lung Association, American Heart Association, Campaign for Tobacco-Free Kids, and American Cancer Society Cancer Action Network **strongly oppose** the legislation before you, House Bill 766 and would encourage members of the Committee to vote no on this bill and protect Maryland's strong smokefree laws. If you have additional questions, please don't hesitate to contact any of us.

Sincerely,

Aleks Casper  
American Lung Association  
Director of Advocacy  
202-719-2810  
[aleks.casper@lung.org](mailto:aleks.casper@lung.org)

Laura Hale  
American Heart Association  
Director of Government Relations  
336-480-4829  
[laura.hale@heart.org](mailto:laura.hale@heart.org)

Kristin Jimison  
Campaign for Tobacco-Free Kids  
Regional Advocacy Director  
804-349-5578  
[kjimison@tobaccofreekids.org](mailto:kjimison@tobaccofreekids.org)

Lance Kilpatrick  
American Cancer Society Cancer Action Network  
Government Relations Director  
410-547-2143  
[lance.kilpatrick@cancer.org](mailto:lance.kilpatrick@cancer.org)

<sup>1</sup> U.S. Department of Health and Human Services (HHS). *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.

<sup>2</sup> HHS, 2006.

<sup>3</sup> Anderson KE, Kliris J, Murphy L, et al (2003). Metabolites of a Tobacco-Specific Lung Carcinogen in Nonsmoking Casino Patrons. *Cancer Epidemiol Biomarkers Prev* 12(12):1544-6.

<sup>4</sup> Americans for Nonsmokers' Rights. Smokefree Casinos. <https://nonsmokersrights.org/smokefree-casinos>

