

## SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2726

By COMMITTEE ON RULES

June 22

- 1 On page 1 of the printed A-engrossed bill, delete lines 19 through 22 and insert:
- 2 “(h) Has a ventilation system that exhausts smoke from the business and is designed and ter-
- 3 minated in accordance with the state building code standards for the occupancy classification in use;
- 4 and”.
- 5 On page 2, line 39, delete “or”.
- 6 Delete lines 40 and 41 and insert:
- 7 “(b) On December 31, 2008:
- 8 “(A) Met the requirements of paragraph (a)(A) to (D) of this subsection; and
- 9 “(B)(i) Was a stand-alone business with no other businesses or residential property attached; or
- 10 “(ii) Had a ventilation system that exhausted smoke from the business and was designed and
- 11 terminated in accordance with the state building code standards for the occupancy classification in
- 12 use; or
- 13 “(c)(A) Filed an application for certification as a smoke shop before the effective date of this
- 14 2011 Act;
- 15 “(B) Met the requirements of ORS 433.835 (5), as in effect immediately before the effective date
- 16 of this 2011 Act at the time of application;
- 17 “(C) Was certified as a smoke shop under ORS 433.835 (5), as in effect immediately before the
- 18 effective date of this 2011 Act, by the authority on or before December 31, 2012; and”.
- 19 In line 42, delete “(B)” and insert “(D)”.
- 20 After line 43, insert:
- 21 “(3) A smoke shop certified under subsection (2)(b) of this section must renew the smoke shop
- 22 certification every five years by demonstrating to the satisfaction of the authority that the smoke
- 23 shop:
- 24 “(a)(A) Meets the requirements of subsection (2)(a)(A) to (D) of this section; and
- 25 “(B)(i) Is a stand-alone business with no other businesses or residential property attached; or
- 26 “(ii) Has a ventilation system that exhausts smoke from the business and is designed and ter-
- 27 minated in accordance with the state building code standards for the occupancy classification in use;
- 28 and
- 29 “(b) Allows smoking of cigarettes only if at least 75 percent of the gross revenues of the busi-
- 30 ness results from the sale of cigarettes.”.
- 31 In line 44, delete “(3)” and insert “(4)” and delete “(2)(b)” and insert “(2)(c)”.
- 32 On page 3, line 6, delete “(4)” and insert “(5)” and after “(2)(b)” insert “or (c)”.
- 33 After line 8, insert:
- 34 “(6) A smoke shop certified under subsection (2)(b) of this section may continue to be certified
- 35 in a new location under subsection (2)(b) of this section if:

1       “(a)(A) The new location occupies no more than 3,500 square feet; or  
2       “(B) If the old location occupied more than 3,500 square feet, the new location occupies no more  
3 than 110 percent of the space occupied by the old location; and  
4       “(b) The smoke shop as operated in the new location:  
5       “(A) Meets the requirements of subsection (2)(a)(A) to (D) of this section;  
6       “(B)(i) Is a stand-alone business with no other businesses or residential property attached; or  
7       “(ii) Has a ventilation system that exhausts smoke from the business and is designed and ter-  
8 minated in accordance with the state building code standards for the occupancy classification in use;  
9 and  
10       “(C) Allows smoking of cigarettes only if at least 75 percent of the gross revenues of the busi-  
11 ness results from the sale of cigarettes.”.  
12       In line 9, delete “(5)” and insert “(7)” and delete “(2)(b)” and insert “(2)(c) of this section”.  
13       In line 10, delete “(2)(b)” and insert “(2)(c) of this section”.  
14       In line 19, delete “(6)” and insert “(8)”.  
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