

**FROM THE DESK OF SAL PERALTA**

5/15/2017

Chair Greenlick & members of the Committee,

I am writing in regard to SB 235(A), which is being heard today in the House Health Care Committee.

This legislation defines “enclosed area” for the purpose of the Indoor Clean Act. I understand that this legislation is a “good faith” companion to the legislation being voted on today in the house that will increase the smoking age to 21 and is intended to prevent the unintended consequence of barring currently lawful outdoor smoking areas in bars or clubs.

Although this bill as amended is appears to be product of some sort of negotiated back-room deal, it had no public review in the Senate. The original version of SB 235 was heard in February, then this amendment was gutted -and-stuffed into the bill with no additional public hearing.

The wording of the statute is overbroad.

The plain language allows smoking in open patio bars and restaurants where smoking is currently prohibited. If the goal is not to increase the secondhand smoking and its associated risks in bars and restaurants, I strongly recommend that you amend the wording of the bill to capture the original intent without tearing a hole in the law.

Respectfully,

Sal Peralta