

Amend CSHB 9 (committee printing) as follows:

(1) On page 1, line 23, strike "25" and substitute "15".

(2) On page 2, lines 5-6, strike ", originally issued before May 15, 2007".

(3) On page 3, lines 17-18, strike "a club described by Section 501(c)(7) of that code." and insert:

:

(i) a nonprofit corporation or other entity described by Section 501(c)(3) of that code;

(ii) a club described by Section 501(c)(7) of that code;

(iii) a fraternal beneficiary society, order, or association described by Section 501(c)(8) of that code;
or

(iv) an organization of past or present members of the United States armed forces or other organization described by Section 501(c)(19) of that code.

(4) On page 3, line 23, strike "(ii) a bar;" and renumber subsequent subparagraphs accordingly.

(5) On page 4, line 18, following the semi-colon, insert "or".

(6) On page 4, line 22, strike "(xvii) a bingo hall; or".

(7) On page 6, line 3, between "EXCEPTIONS." and "This", insert "(a)".

(8) On page 6, line 22, strike "or".

(9) On page 6, strike lines 23-27 and substitute:

(6) a private club; or

(7) a bar that is open only to persons who are at least 21 years of age and derives at least 75 percent of the bar's gross sales from the sale of alcoholic beverages.

(b) Subsection (a)(5) applies without regard to whether the alcoholic beverage permit or license under Chapter 25, 28, 32, or 69, Alcoholic Beverage Code, as described by Section 169.001(3)(C), also covers premises that include a bar or restaurant adjoining the cigar bar, provided that the bar or restaurant:

(1) has an entrance separate from the cigar bar;

(2) employs employees separate from the cigar bar; and

(3) unless exempted under Subsection (a)(7), does not permit smoking.

(10) On page 9, between lines 6 and 7, insert new Subsections (b) and (c) as follows and reletter subsequent subsections accordingly:

(b) This chapter preempts and supersedes a local ordinance, rule, or regulation that prohibits or restricts smoking to a greater degree than this chapter if the local ordinance, rule, or regulation:

(1) was adopted by a municipality before September 1, 2007; and

(2) is scheduled to take effect on or after September 1, 2007.

(c) Subsection (b) does not prohibit the adoption by a political subdivision, after September 1, 2007, of a local ordinance, rule, or regulation that prohibits or restricts smoking to a greater degree than this chapter.

(11) On page 9, lines 19-20, strike ", originally issued before May 15, 2007".

(12) On page 9, line 21, strike "25" and substitute "15".