

Amend CSHB 9 (committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Subtitle H, Title 2, Health and Safety Code, is amended by adding Chapter 169 to read as follows:

CHAPTER 169. SMOKING PROHIBITED; SALE OF CERTAIN TOBACCO PRODUCTS
PROHIBITED

Sec. 169.001. DEFINITIONS. In this chapter:

(1) "Smoke" means to inhale, exhale, burn, or carry a lighted tobacco product in any manner.

(2) "Tobacco product" means a cigar, cigarette, or smoking tobacco, including granulated, plug-cut, crimp-cut, ready-rubbed, and any form of tobacco suitable for smoking in a pipe or as a cigarette.

Sec. 169.002. SMOKING PROHIBITED. A person may not smoke in this state.

Sec. 169.003. SALE OF TOBACCO PRODUCTS PROHIBITED. A person may not sell a tobacco product in this state.

Sec. 169.004. OFFENSES; PENALTIES. A person who violates Sections 169.002 or 169.003 commits an offense. An offense under this subsection is a Class C misdemeanor.

SECTION 2. This Act takes effect September 1, 2007.