

Amend Amendment No. 1 by Dutton by inserting the following appropriately numbered item and renumbering items of the amendment accordingly:

() Insert the following appropriately numbered SECTION and renumber existing SECTIONS of the bill appropriately:

SECTION _____. Subchapter C, Chapter 109, Alcoholic Beverage Code, is amended by adding Section 109.34 to read as follows:

Sec. 109.34. REGULATION OF SMOKING. Notwithstanding any city ordinance or county regulation, a mixed beverage permit holder whose premises has at least two areas with separate ventilation systems may allow smoking in one or more of those areas if smoking is not allowed in at least one of those areas.