

Senate File 180 - Introduced

SENATE FILE _____
BY KETTERING

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to exemptions from the prohibitions of the
2 smokefree air Act for bars and restaurants under certain
3 conditions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2338XS 83
6 pf/rj/5

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1 1 Section 1. Section 142D.2, subsections 1 and 17, Code
1 2 2009, are amended to read as follows:
1 3 1. "Bar" means an establishment where one may purchase
1 4 alcoholic beverages, as defined in section 123.3, for
1 5 consumption on the premises and in which ~~the serving of food~~
~~1 6 is only incidental to the consumption of those sixty percent~~
1 7 ~~or more of the gross revenue of the establishment is derived~~
1 8 ~~from the sales of such beverages.~~

1 9 17. "Restaurant" means ~~an eating establishments~~
1 10 ~~establishment~~, including a private ~~and or~~ public school
1 11 ~~cafeterias cafeteria~~, which ~~offer offers~~ food to the public,
1 12 guests, or employees, including the kitchen and catering
1 13 facilities in which food is prepared on the premises for
1 14 serving elsewhere, and including ~~a bar an~~ area within a
1 15 restaurant ~~where one may purchase alcoholic beverages, as~~
1 16 ~~defined in section 123.3, for consumption on the premises.~~

1 17 Sec. 2. Section 142D.3, subsection 2, paragraph b, Code
1 18 2009, is amended by striking the paragraph.

1 19 Sec. 3. Section 142D.4, Code 2009, is amended by adding
1 20 the following new subsection:

1 21 NEW SUBSECTION. 12. A bar otherwise subject to the
1 22 prohibitions of section 142D.3 that meets both of the
1 23 following conditions:

1 24 a. Only invites and allows entrance to individuals
1 25 twenty-one years of age and older.

1 26 b. Utilizes air filtration and ventilation equipment in
1 27 accordance with standards adopted by rule of the department.

EXPLANATION

1 29 This bill amends the smokefree air Act (Code chapter 142D)
1 30 relating to bars. The bill redefines "bar" under the Act to
1 31 provide that a bar is an establishment in which alcoholic
1 32 beverages may be purchased for consumption on the premises and
1 33 in which at least 60 percent of the gross revenue of the
1 34 establishment is derived from the sales of such beverages.

1 35 The bill changes the definition of "restaurant" to include

2 1 areas of the restaurant where alcoholic beverages can be
2 2 purchased and consumed rather than referring to the new
2 3 definition of "bar". The bill exempts from the smoking
2 4 prohibitions of the Act, bars which only invite and allow
2 5 entrance to individuals 21 years of age and older and utilize
2 6 air filtration and ventilation equipment in accordance with
2 7 standards adopted by rule of the department of public health.
2 8 The bill also eliminates the provision prohibiting smoking in
2 9 the outdoor seating and serving areas of restaurants.

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2 11 pf/rj/5