

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Restrict the Smoking Exemption for Tobacco Specialty Stores**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §1541, sub-§8** is enacted to read:

**8. Waterpipe or hookah.** "Waterpipe" or "hookah" means a device used for smoking tobacco that consists of a tube connected to a container where the smoke is cooled by passing through water.

**Sec. 2. 22 MRSA §1542, sub-§2, ¶L,** as amended by PL 2005, c. 223, §2, is further amended to read:

L. Smoking is not prohibited in a tobacco specialty store. The on-premises service, preparation or consumption of food or drink, if the tobacco specialty store is not licensed for such service or consumption prior to January 1, 2007, is prohibited in such a store. Smoking a waterpipe or hookah is prohibited in a tobacco specialty store that is newly licensed or that requires a new license after January 1, 2007.

### **SUMMARY**

This bill limits the exemption granted to tobacco specialty stores from the public place smoking prohibition. The bill provides that the on-premises service, preparation or consumption of food or drink, if the tobacco specialty store is not licensed for such service or consumption prior to January 1, 2007, is prohibited in such a store. It also provides that smoking a waterpipe or hookah is prohibited in a tobacco specialty store that is newly licensed or that requires a new license after January 1, 2007.