



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 2

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

H2-ARG-9 [v.7]

Page 1 of 2

Comm. Sub. [YES]
Amends Title [NO]
Third Edition

Date APR 1 2009 2009

ADOPTED

Representative Neumann

1 moves to amend the bill on page 1, line 25, by rewriting the line to read:

2 "(1) "Cigar bar". – An establishment with a permit to sell alcoholic beverages
3 pursuant to subdivisions (1), (3), (5), or (10) of G.S. 18B-1001 that satisfies all
4 of the following:

5 a. Generates sixty percent (60%) or more of its quarterly gross revenue
6 from the sale of alcoholic beverages and twenty-five percent (25%) or
7 more of its quarterly gross revenue from the sale of cigars;

8 b. Has a humidor on the premises; and

9 c. Does not allow minors to enter the premises.

10 Revenue generated from other tobacco sales, including cigarette vending
11 machines, shall not be used to determine whether an establishment satisfies the
12 definition of cigar bar.

13 (1a) "Employee". – A person who is employed by an employer, or who contracts";
14

15 and on page 3, lines 46-47, by inserting between those lines the following new subdivision to
16 be numbered appropriately:

17 "(6) A cigar bar in operation on or before January 1, 2009 if smoke from the cigar
18 bar does not migrate into an enclosed area where smoking is prohibited pursuant
19 to this Article. To qualify under this subsection, the cigar bar must satisfactorily
20 report on a quarterly basis to the Department, on a form prescribed by the
21 Department, the revenue generated from the sale of alcoholic beverages and
22 cigars as a percentage of quarterly gross revenue. The Department shall
23 determine whether any additional documentation is required of the cigar bar to
24 authenticate or verify revenue data submitted by the cigar bar. This subdivision
25 shall not apply to any business that is established for the purpose of avoiding
26 compliance with this Article."
27

28 and on page 5, lines 3-4, by inserting between those lines the following new subdivision to be
29 numbered appropriately:

30 "(6) A cigar bar in operation on or before January 1, 2009 if smoke from the cigar
31 bar does not migrate into an enclosed area where smoking is prohibited pursuant
32 to this Article. To qualify under this subsection, the cigar bar must satisfactorily
33 report on a quarterly basis to the Department, on a form prescribed by the



* H 2 - A R G - 9 - V - 7 *

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Page 2 of 2

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Department, the revenue generated from the sale of alcoholic beverages and cigars as a percentage of quarterly gross revenue. The Department shall determine whether any additional documentation is required of the cigar bar to authenticate or verify revenue data submitted by the cigar bar. This subdivision shall not apply to any business that is established for the purpose of avoiding compliance with this Article."

SIGNED *W. H. Beaman*
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 93-24 EV FAILED _____ TABLED _____

APR 1 2009
Genise Weeks

ADOPTED