

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 94

AMENDMENT NO. A6  
(to be filled in by  
Principal Clerk)

Page 1 of 2

H94-ASB-61 [v.5]

Comm. Sub. [YES]  
Amends Title [YES]  
Third Edition

Date \_\_\_\_\_, 2013

Senator Wade

1 moves to amend the bill on page 2, line 51, by deleting the word "AND";

2  
3 on page 3, line 3, by deleting the word "CHANGES." and substituting the words "CHANGES;  
4 AND" and by adding at the end of that line "(36) DIRECT THE COMMISSION FOR PUBLIC  
5 HEALTH TO CLARIFY ITS RULES THAT IMPLEMENT THE PROHIBITION ON  
6 SMOKING IN BARS AND RESTAURANTS.";

7  
8 and on page 42, lines 47 and 48,  
9 by inserting between those lines:

10  
11 **"PART XXXVI. DIRECT THE COMMISSION FOR PUBLIC HEALTH TO CLARIFY**  
12 **ITS RULES THAT IMPLEMENT THE PROHIBITION ON SMOKING IN BARS AND**  
13 **RESTAURANTS**

14 **SECTION 36.** No later than January 1, 2014, the Commission for Public Health  
15 shall amend and clarify its rules adopted pursuant to G.S. 130A-497 for the implementation of  
16 the prohibition on smoking in restaurants and bars. The rules shall ensure the consistent  
17 interpretation and enforcement of Part 1C of Article 23 of Chapter 130A of the General  
18 Statutes and shall specifically clarify the definition of enclosed areas for purposes of  
19 implementation of the Part. Rules adopted pursuant to this section (i) shall be exempt from the  
20 requirements of G.S. 150B-21.4; (ii) are not subject to G.S. 150B-21.8 through  
21 G.S. 150B-21.14; and (iii) shall become effective as provided in G.S. 150B-21.3(b1) as though  
22 10 or more written objections had been received as provided by G.S. 150B-21.3(b2). No later  
23 than November 1, 2013, the Commission shall report to the Joint Legislative Oversight  
24 Committee on Health and Human Services on its progress in amending and clarifying the  
25 rules."; and

26  
27 by renumbering the parts and sections accordingly and making other conforming changes as  
28 necessary.



\* H 9 4 - A S B - 6 1 - V - 5 \*

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SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

**The official copy of this document, with signatures  
and vote information, is available in the  
Senate Principal Clerk's Office**