

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4102**

**STATE OF NEW JERSEY**

DATED: JUNE 18, 2018

The Assembly Commerce and Economic Development Committee reports favorably Assembly Bill No. 4102.

This bill revises the “New Jersey Smoke-Free Air Act” to permit renewal of a cigar bar's or lounge's lapsed exemption from the prohibition against indoor smoking under certain circumstances.

The “New Jersey Smoke-Free Air Act” prohibits indoor smoking in public places; however, it provides certain enumerated exemptions from the prohibition for certain facilities, including cigar bars and lounges. To qualify for the exemption, a cigar bar or lounge is required to meet certain structural and ventilation requirements; in the calendar year ending December 31, 2004, and each year thereafter, have generated 15 percent or more of its total annual gross income from the sale of tobacco products and the rental of on-site humidors; and not have expanded or changed size since December 31, 2004. The cigar bar or lounge is additionally required to register with the local board of health; this registration lasts for one year and may be renewed only if the cigar bar or lounge continues to meet the gross revenue requirement and the requirement that it not have expanded or changed locations.

The bill provides that, if a cigar bar or lounge's exemption has lapsed, the cigar bar or lounge may renew the exemption, provided that: (1) no more than 10 years have elapsed since the date of the lapse; (2) the cigar bar or lounge still qualified for the exemption at the time of the lapse; and (3) the cigar bar or lounge currently meets the requirements for the exemption. A renewal under the bill will remain in effect for one year, and may only be renewed thereafter if the cigar bar or lounge continues to meet the requirements for the exemption or meets the requirements to renew a lapsed exemption.