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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH
SESSION

HOUSE FILE No. 188

January 24, 2011

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The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health; providing an exemption from smoking prohibition in public
1.3 places; amending Minnesota Statutes 2010, section 144.414, by adding a
1.4 subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2010, section 144.414, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 5. Restaurants and liquor establishments. Sections 144.414 to 144.417 do
1.9 not prohibit smoking in a restaurant that serves alcoholic beverages, bar, or tavern if the
1.10 facility meets the requirements of this subdivision. "Restaurant" has the meaning given in
1.11 section 157.15, subdivision 12. Bar or tavern or liquor establishment is governed by the
1.12 licensing requirements under chapter 340A.

1.13 (a) Restaurants with attached bars must be separated from the bar area on all sides
1.14 by continuous floor-to-ceiling walls, which are interrupted only by closable doors that are
1.15 continuously closed, except when a person is actively entering or exiting the bar. Smoking
1.16 shall not be permitted in the restaurant area.

1.17 (b) In order to control indoor smoke particulate in bars, an HVAC ventilation system
1.18 that will exchange the indoor air every two hours must be installed as follows:

1.19 (1) for bars with alcoholic beverage sales of 40 percent of total gross sales, the
1.20 HVAC ventilation system must be installed by June 1, 2012;

1.21 (2) for bars with alcoholic beverage sales of 50 percent of total gross sales, the
1.22 HVAC ventilation system must be installed by June 1, 2013;

1.23 (3) for bars with alcoholic beverage sales of 60 percent of total gross sales, the
1.24 HVAC ventilation system must be installed by June 1, 2014;

2.1 (4) for bars with alcoholic beverage sales of 70 percent of total gross sales, the
2.2 HVAC ventilation system must be installed by June 1, 2015;

2.3 (5) for bars with alcoholic beverage sales of 80 percent of total gross sales, the
2.4 HVAC ventilation system must be installed by June 1, 2016;

2.5 (6) for bars with alcoholic beverage sales of over 80 percent of total gross sales, the
2.6 HVAC ventilation system must be installed by June 1, 2017.