

**Representative Marc K. Roberts** proposes the following substitute bill:

**UTAH INDOOR CLEAN AIR ACT AMENDMENTS**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Marc K. Roberts**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends the Utah Indoor Clean Air Act.

**Highlighted Provisions:**

This bill:

- ▶ changes a temporary exemption for e-cigarette establishments into a permanent exemption; and
- ▶ removes a sunset date.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**26-38-2.6**, as enacted by Laws of Utah 2012, Chapter 171

**63I-1-226**, as last amended by Laws of Utah 2016, Chapters 89, 170, 279, and 327

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **26-38-2.6** is amended to read:



26 **26-38-2.6. Exemption for certain restrictions on the use of e-cigarettes.**

27 (1) The prohibition against the use of an e-cigarette in a place of public access does not  
28 apply if:

29 (a) the use of the e-cigarette occurs in the place of public access that is a retail  
30 establishment that sells e-cigarettes and the use is for the purpose of:

31 (i) the retailer of an e-cigarette demonstrating to the purchaser of the e-cigarette how to  
32 use the e-cigarette; or

33 (ii) the customer sampling a product sold by the retailer for use in an e-cigarette; and

34 (b) the retailer of e-cigarettes:

35 (i) has all required licenses for the possession and sale of e-cigarettes in a place of  
36 business;

37 (ii) does not permit a person under the age of 19 to enter any part of the premises of the  
38 retail establishment in which the e-cigarettes are sold; and

39 (iii) the sale of e-cigarettes and substances for use in e-cigarettes constitutes at least  
40 75% of the establishment's gross sales.

41 (2) This section does not require a county or municipality to issue a license to a person  
42 to sell e-cigarettes.

43 [~~3~~] This section sunsets in accordance with Section ~~63I-1-226~~.

44 Section 2. Section **63I-1-226** is amended to read:

45 **63I-1-226. Repeal dates, Title 26.**

46 (1) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July  
47 1, 2025.

48 (2) Section ~~26-10-11~~ is repealed July 1, 2020.

49 (3) Section ~~26-21-23~~, Licensing of non-Medicaid nursing care facility beds, is repealed  
50 July 1, 2018.

51 (4) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2024.

52 (5) Title 26, Chapter 36a, Hospital Provider Assessment Act, is repealed July 1, 2019.

53 (6) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1, 2021.

54 (7) Section ~~26-38-2.5~~ is repealed July 1, 2017.

55 [~~8~~] Section ~~26-38-2.6~~ is repealed July 1, 2017.]

56 [~~9~~] (8) Title 26, Chapter 52, Autism Treatment Account, is repealed July 1, 2016.

57            [~~(10)~~] (9) Title 26, Chapter 56, Hemp Extract Registration Act, is repealed July 1,  
58    2021.