
HOUSE BILL 3295

State of Washington 59th Legislature 2006 Regular Session

By Representatives Grant and Newhouse

Read first time 02/02/2006. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to allowing a waiver to smoking prohibitions for
2 businesses suffering a loss of gross revenue; amending RCW 70.160.030;
3 and adding a new section to chapter 70.160 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.160.030 and 2006 c 2 s 3 (Initiative Measure No.
6 901) are each amended to read as follows:

7 No person may smoke in a public place or in any place of employment
8 except as provided in section 2 of this act.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.160 RCW
10 to read as follows:

11 If the owner of a place of employment can document, using documents
12 filed with the state department of revenue, a loss of ten percent or
13 more of the gross revenue for the first quarter of 2006 versus the
14 first quarter of 2005, it may apply to the department of health for a
15 waiver of RCW 70.160.030. If the owner can show a decline of ten
16 percent or more and the other requirements under this section are met,
17 the waiver must be granted. The waiver must be granted for the entire
18 building if minors are prohibited from the entire premises as required

1 by liquor control board rules or for a section of the building such as
2 a smoking room if the entire premises are not completely off limits to
3 minors as required by liquor control board rules. A waiver granted
4 under this section is applicable only to the owner applying for the
5 waiver, in the specific location to which the waiver applies, and is
6 not transferable. All waivers granted under this section become null
7 and void when all tribal casinos in the state are deemed fully
8 nonsmoking by the department.

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