SmokeFreeColorado
Good health is good business

Colorado Clean Indoor Air Act 2006

Implementation Date: July 1, 2006

Cigar-Tobacco Bar Exemption

The Colorado Clean Indoor Air Act exempts "Cigar-Tobacco Bars" from the smoking restrictions. A Cigar-Tobacco Bar is defined as:

- "'Cigar-Tobacco Bar' means a bar that, in the calendar year ending December 31, 2005, generated at least five percent or more of its total annual gross income or fifty thousand dollars in annual sales from the on-site sale of tobacco products and the rental of on-site humidors, not including any sales from vending machines. In any calendar year after December 31, 2005, a bar that fails to generate at least five percent of its total annual gross income or fifty thousand dollars in annual sales from the on-site sale of tobacco products and the rental of on-site humidors shall not be defined as a "cigar-tobacco bar" and shall not thereafter be included in the definition, regardless of sales figures."

The law goes on to say:

- "A cigar-tobacco bar shall not expand its size or change its location from the size and location in which it existed as of December 31, 2005."
- In any calendar year after December 31, 2005, a bar that fails to generate at least 5% of its total annual gross income or $50,000 in annual sales from the on-site sale of tobacco products and the rental of on-site humidors shall not be defined as a "Cigar-Tobacco Bar" and shall not thereafter be included in the definition regardless of sales figures.

Key points:

- To be included in the definition of a "cigar-tobacco bar," a business must have met this definition as of December 31, 2005.
- Sales from vending machines do not count toward the 5% total annual income or $50,000 threshold.
- An establishment cannot change their license just to fit under this definition.

For a copy of the law, go to: www.SmokeFreeColorado.org