



# State of Tennessee

## PUBLIC CHAPTER NO. 1110

### SENATE BILL NO. 2219

By Briggs, Akbari, Reeves, Yarbrow, Campbell

Substituted for: House Bill No. 2705

By Carringer, Sherrell, Hall, Byrd, Ramsey, Kumar, Jernigan, Gillespie, Freeman, Helton, Gant, Clemmons, Thompson, White, Ragan, Vital, Gloria Johnson, Powell, Dixie, Hazlewood, McKenzie, Terry, Rudder, Hakeem

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7 and Title 39, relative to the regulation of certain products by governmental entities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-1551, is amended by adding the following as a new subsection:

( ) Notwithstanding subsection (a) or another provision of this title, municipalities, counties, and counties having a metropolitan form of government may regulate, including prohibiting, by passing a resolution or ordinance, the following activities in age-restricted venues that are not retail tobacco stores, retail vapor product stores, or cigar bars:

- (1) Smoking, as defined in § 39-17-1802; and
- (2) The use of vapor products.

SECTION 2. Tennessee Code Annotated, Section 39-17-1551(f)(2), is amended by deleting "this subsection (e)" and substituting "this subsection (f)".

SECTION 3. Tennessee Code Annotated, Section 39-17-1503, is amended by adding the following as new subdivisions:

( ) "Age-restricted venue" means a legal establishment that affirmatively restricts access to its buildings or facilities at all times to persons who are twenty-one (21) years of age or older by requiring each person who attempts to gain entry to those buildings or facilities to submit for inspection an acceptable form of identification for the express purpose of determining if the person is twenty-one (21) years of age or older;

( ) "Cigar bar" means a legal establishment that:

- (A) Holds a valid license or permit for the on-premises consumption of alcoholic beverages;
- (B) Generates a portion of its total annual gross income from the on-site sale of cigars and the rental of humidors;
- (C) Does not knowingly sell products or services, or permit entrance to the premises, to a person who is less than twenty-one (21) years of age; and
- (D) Does not permit vaping or the smoking of products other than cigars on the premises;

( ) "Retail tobacco store" means a retail store that derives its largest category of sales from tobacco products and accessories;

( ) "Retail vapor product store" means a retail store that derives its largest category of sales from vapor products and accessories;

SECTION 4. Tennessee Code Annotated, Section 39-17-1802, is amended by adding the following as a new subdivision:

( ) "Cigar bar" means a legal establishment that:

(A) Holds a valid license or permit for the on-premises consumption of alcoholic beverages;

(B) Generates a portion of its total annual gross income from the on-site sale of cigars and the rental of humidors;

(C) Does not knowingly sell products or services, or permit entrance to the premises, to a person who is less than twenty-one (21) years of age; and

(D) Does not permit vaping or the smoking of products other than cigars on the premises;

SECTION 5. Tennessee Code Annotated, Section 39-17-1804(9), is amended by deleting the language "Retail tobacco stores and retail vapor product stores" and substituting "Retail tobacco stores, cigar bars, and retail vapor product stores".

SECTION 6. This act takes effect July 1, 2022, the public welfare requiring it.

SENATE BILL NO. 2219

PASSED: April 27, 2022

  
Randy McNally  
SPEAKER OF THE SENATE

  
Cameron Sexton, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 1<sup>st</sup> day of June 2022

  
BILL LEE, GOVERNOR