



**ASSEMBLY AMENDMENT 3,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 253**

May 13, 2009 – Offered by Representatives FIELDS and VOS.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 6, line 5: after that line insert:

3 **“SECTION 14m.** 101.123 (1) (cm) of the statutes is created to read:

4 101.123 **(1)** (cm) “Nonprofit organization” means a nonprofit corporation, a
5 charitable trust, or other nonprofit association that is described in section 501 (c) (3)
6 of the Internal Revenue Code and is exempt from federal income tax under section
7 501 (a) of the Internal Revenue Code.”.

8 **2.** Page 14, line 5: after that line insert:

9 **“SECTION 66m.** 101.123 (3) (n) of the statutes is created to read:

10 101.123 **(3)** (n) The smoking of cigars in an enclosed place during a charitable
11 fund–raising event at which cigars are a focus, and if the event meets all of the
12 following requirements:

- 1 1. The event is sponsored by a nonprofit organization.
- 2 2. The event is held in an enclosed place separate from other areas that are
- 3 public places at the same location.
- 4 3. Food and beverages are available to persons attending the event.
- 5 4. Persons under the age of 18 years may not attend.
- 6 5. Cigars are sold, auctioned, or given as gifts.
- 7 6. The event is held by the nonprofit organization not more than one time each
- 8 year.”.

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(END)