



**Representative Adam Mathews**  
56<sup>th</sup> House District

**House Civil Justice Committee**  
**Sponsor Testimony – H.B. 530**  
**November 19, 2024**

Chair Hillyer, Ranking Member Isaacsohn, and fellow members of the House Civil Justice Committee, thank you for the opportunity to present sponsor testimony on House Bill 530, which protects the exemption from the state’s Smoke Free Workplace Act for cigar bars.

Currently under Ohio law, an exemption from the Smoke Free Workplace Act currently exists for retail tobacco stores allowing indoor cigar smoking. The exemption only applies if the business derives more than 80% of its revenue from tobacco products, exists in a freestanding building not occupied by any other business, and is able to contain smoke within the business place and prevent its migration into nearby areas. Current law prohibits retail tobacco stores seeking this exemption from serving alcohol.

House Bill 530 allows businesses wishing to operate as cigar bars to seek this exemption provided they derive at least 20% of their revenue from the sale of cigar products, and it also allows the Division of Liquor Control to issue permits for the sale of alcohol at these locations. The amendment before you today changes the revenue threshold from 15%, as in the introduced version, to 20%, and it also specifies the process by which the Division of Liquor Control shall issue permits. The purpose of the 20% revenue threshold is to allow for the sale of alcohol and build in room for the resulting revenue for which the current 80% threshold would not allow. House Bill 530 maintains the requirements that cigar bars operate within freestanding structures and prevent smoke from migrating into nearby areas, thereby protecting those not wishing to be exposed to cigar smoke, the original intention of the Smoke Free Workplace Act.

While the voters passed the Smoke Free Workplace Act in 2006, the intent of this law was to protect nonsmokers from exposure to tobacco smoke in public areas where they do not wish or expect to encounter secondhand smoke. This law in no way banned smoking in private spaces, and it did not ban smoking in general. Cigar bars functionally serve the same purpose as smoking in private residences as they allow likeminded community members to gather and smoke indoors, in private, and away from the public. Some opponents of this bill have claimed that the existence of cigar bars is an unfortunate exception to the Smoke Free Workplace Act; on the contrary, they uphold the principles of the law intended to protect the public and ensure smoking occurs in private by consenting adults. House Bill 530 maintains the commonsense protections intended keep cigar smoke within the building that are currently in law. Nobody not intending to

be exposed to cigar smoke would reasonably enter a cigar bar, and this bill would not expose the broader public to secondhand smoke in any way not already allowable under current law.

House Bill 530 preserves the exemption that allows cigar bars, already present within our communities and enjoyed by many, to continue operating while serving alcohol. The bill allows those in our communities wishing to smoke cigars in private the ability to do so, and through the maintenance of the commonsense precautions already in law, it fulfils the purpose of the Smoke Free Workplace Act by protecting the broader public from unwanted exposure to secondhand smoke. We thank you for the opportunity to testify today, and we are happy to answer any questions the committee may have.