

# SENATE BILL No. 118

January 28, 2009, Introduced by Senators CLARK-COLEMAN, CHERRY, CLARKE, BASHAM, GLEASON, BRATER, ANDERSON and JACOBS and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 12608b.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 12608B. (1) ON OR BEFORE THE EXPIRATION OF 90 DAYS AFTER  
2        THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT SHALL DEVELOP  
3        AND DISSEMINATE A PUBLIC AWARENESS CAMPAIGN ABOUT THE HEALTH RISKS  
4        ASSOCIATED WITH AND LEGAL REQUIREMENTS RELATED TO HOOKAH TOBACCO  
5        USE. THE DEPARTMENT SHALL INCLUDE ALL OF THE FOLLOWING IN THE  
6        PUBLIC AWARENESS CAMPAIGN DEVELOPED UNDER THIS SECTION:

7            (A) ALL KNOWN EFFECTS HOOKAH TOBACCO USE HAS ON AN  
8        INDIVIDUAL'S HEALTH.

9            (B) ALL KNOWN HEALTH RISKS ASSOCIATED WITH THE USE OF A HOOKAH  
10        TO SMOKE HOOKAH TOBACCO, INCLUDING THE IMPORTANCE OF CLEANING AND  
11        SANITIZING THE HOOKAH AFTER EACH USE.

1 (C) ALL PERTINENT FEDERAL, STATE, OR LOCAL LAWS, RULES,  
2 ORDINANCES, REGULATIONS, GUIDELINES, AND OTHER LEGAL PRONOUNCEMENTS  
3 REGARDING THE SALE, TAXATION, STORAGE, OR HANDLING OF HOOKAH  
4 TOBACCO, INCLUDING THE PROHIBITION ON THE SALE OF TOBACCO PRODUCTS  
5 TO MINORS.

6 (D) ANY OTHER INFORMATION THE DEPARTMENT CONSIDERS  
7 APPROPRIATE.

8 (2) AS USED IN THIS SECTION:

9 (A) "HOOKAH" MEANS A TOBACCO PIPE IN WHICH THE SMOKE IS DRAWN  
10 THROUGH WATER BEFORE REACHING THE LIPS AND INCLUDES A NARGHILE OR  
11 OTHER SIMILAR INSTRUMENT.

12 (B) "HOOKAH TOBACCO" MEANS A NONCIGARETTE SMOKING TOBACCO THAT  
13 IS SMOKED USING A HOOKAH, WHICH TOBACCO MAY BE FLAVORED OR  
14 SWEETENED.

15 (C) "NONCIGARETTE SMOKING TOBACCO" MEANS THAT TERM AS DEFINED  
16 IN SECTION 2 OF THE TOBACCO PRODUCTS TAX ACT, 1993 PA 327, MCL  
17 205.422.

18 (D) "TOBACCO PRODUCT" MEANS A PRODUCT THAT CONTAINS TOBACCO  
19 AND IS INTENDED FOR HUMAN CONSUMPTION, INCLUDING, BUT NOT LIMITED  
20 TO, A CIGARETTE, NONCIGARETTE SMOKING TOBACCO, OR SMOKELESS  
21 TOBACCO, AS THOSE TERMS ARE DEFINED IN SECTION 2 OF THE TOBACCO  
22 PRODUCTS TAX ACT, 1993 PA 327, MCL 205.422, AND CIGARS.