

APPENDIX C

Clean Indoor Air Act

On June 13, 2008, the Governor signed into law Senate Bill 246 (now known as Act 27 of 2008, entitled the "Clean Indoor Air Act" (the "Act"). The Act went into effect on September 11, 2008.

Generally, the Act prohibits smoking in a "public place," defined as an enclosed area which serves as a workplace, commercial establishment or an area where the public is invited or permitted. There are various exceptions to the general prohibition, including certain exemptions which may apply to various licensees of the Pennsylvania Liquor Control Board ("Board"). One such exemption relates to licensed establishments whose total annual food sales are not more than twenty percent (20%) of the establishment's total annual sales.

Be advised that the Board is not responsible for implementing or administering the Act. Specific questions related to the Act and any specific exemptions to the smoking ban should be directed to the Pennsylvania Department of Health ("DOH").

Please be further advised that there are no statutory requirements that require the Board's retail licensees to provide revenue data to qualify and be issued a Sunday sales permit by the Board. Questions related to what information a Board licensee is required to provide to the DOH for a specific exemption from the Act should be directed to the DOH.

To learn more about the Act go to www.health.pa.gov or call 877-835-9535. Further, business owners can go to www.pactonline.org for assistance in preparing to comply with the terms of the new law.