

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

**Informational Hearing to
The House Health and Human Services Committee
By the Kansas Department of Agriculture
March 5, 2015**

Good afternoon, Chairman Hawkins and members of the committee. The Kansas Department of Agriculture has been requested to provide an overview of regulations in regards to hookah bars. In completing our research, we were unable to identify any mature regulatory models from other states to which we could compare.

There are two potential options for hookah bar regulation. These represent both ends of the spectrum; both full regulation (Option A) and public health warning model (Option B).

- Option A: Full regulatory program, including audit capability and annual inspection (Expanded from Massachusetts'). Would require licensing law similar to K.S.A. 65-689 or K.S.A. 36-501 *et. seq.* with numerous additions. There would be numerous items for consideration.
 - Fiscal Impacts
 - Significant startup costs
 - Significant hiring
 - Inspections would check on signs, revenues and sanitation of pipes.
- Option B: Public Health warning model, enforced by local licensing entity (city/county, etc). Could amend Kansas Indoor Clean Air Act K.S.A. 21-6109 *et. seq.* to require the following: Must post on all entry doors a sign in contrasting font at least 1/4" tall stating: *"Warning: Water pipe (Hookah, argileh, shisha, hubble-bubble, goza, etc.) smoking is NOT a safe alternative to smoking cigarettes. Water pipe smokers may absorb more of the toxic substances also found in cigarette smoke than cigarette smokers do regardless of the composition of the smoking material used."*
 - No startup costs
 - Local option to enforce

A summary and survey of state laws can be found at the following site:

http://www.law.umaryland.edu/programs/publichealth/documents/Hookah_50_State_Survey.pdf

The agency would be glad to respond to any questions at the appropriate time.