

~~(H) AN ENTITY DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION AND A PROPRIETOR OF A RESTAURANT, HOTEL, OR MOTEL DESCRIBED IN PARAGRAPH (3) OF THIS SUBSECTION MAY RESTRICT OR PROHIBIT SMOKING TO A GREATER EXTENT THAN REQUIRED BY REGULATIONS ADOPTED UNDER THIS SUBSECTION.~~

### Article - Labor and Employment

2-106.

(a) The Commissioner shall adopt regulations that govern procedure for boards of arbitration under Title 4, Subtitle 1 of this article.

(b) ~~[In]~~ EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, AND IN addition to authority to adopt regulations that is set forth elsewhere, the Commissioner may adopt regulations that are necessary to carry out:

- (1) Title 3, Subtitle 3 of this article;
- (2) Title 3, Subtitle 5 of this article;
- (3) Title 4, Subtitle 2, Parts I through III of this article;
- (4) Title 5 of this article;
- (5) Title 6 of this article; and
- (6) Title 7 of this article.

(c) ~~(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSIONER MAY NOT PROPOSE OR ADOPT ANY REGULATION THAT RESTRICTS THE SMOKING OR POSSESSION OF TOBACCO PRODUCTS IN ANY OF THE FOLLOWING ESTABLISHMENTS:~~

~~(I) ANY ESTABLISHMENTS OR RESTAURANTS THAT POSSESS AN ALCOHOLIC BEVERAGE LICENSE ISSUED UNDER ARTICLE 2B OF THE CODE;~~

~~(II) BARS;~~

~~(III) TAVERNS;~~

~~(IV) HOTELS; AND~~

~~(V) MOTELS.~~

~~(2) THE COMMISSIONER MAY ADOPT REGULATIONS TO PROHIBIT THE SMOKING OF TOBACCO PRODUCTS IN SPECIFIED AREAS OF AN ESTABLISHMENT DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, PROVIDED THAT THE AREAS OF THE ESTABLISHMENT WHERE SMOKING IS ALLOWED SHALL:~~

~~(I) BE ENTITLED TO RECEIVE THE SAME SERVICES, ALLOW THE SAME ACTIVITIES, AND BE AT LEAST THE SAME AREA SIZE AS THE AREAS IN THE ESTABLISHMENT THAT PROHIBIT SMOKING; AND~~