



## Overview List – Number of Smokefree and Other Tobacco-Related Laws

October 1, 2023

Since the 1970s, the nonsmokers' rights movement has made significant progress toward expanding clean indoor air protections. There are thousands of states, commonwealths, territories, and municipalities with laws in effect that restrict where smoking is allowed, many of which are 100% smokefree Non-Hospitality Workplace, \* Restaurant,\*\* or Bar laws, and combinations of the three. After states and/or municipalities go smokefree in indoor workplaces, many adopt other public health laws and policies, such as addressing e-cigarettes and marijuana use indoors, smokefree multi-unit housing, smoke and tobacco-free college campuses, Tobacco 21, sales of flavored tobacco products, and pharmacies.

### Highlights

- Currently, **1,185** municipalities and **28** states, along with the District of Columbia, Puerto Rico, and the U.S. Virgin Islands have laws in effect that require **all non-hospitality workplaces, restaurants, and bars to be 100% smokefree**; **62.7%** of the U.S. population is protected from secondhand smoke exposure by local or statewide smokefree laws.
- **Casinos** are workplaces too: **21** states, along with Puerto Rico and the U.S. Virgin Islands, have laws in effect that require all state-regulated gambling to be 100% smokefree. (Note: Maine's smokefree Gambling law is for those facilities opened July 2003 or later).
- **21** states, along with Puerto Rico and the U.S. Virgin Islands, have 100% Workplace, Restaurant, Bars, and Gambling (**WRBG**) laws.
- **One** Sovereign Tribal Nation, **Navajo Nation**, has a law requiring all non-hospitality workplaces, restaurants, bars and casinos to be 100% smokefree indoors.
- **2,613 colleges and universities** have 100% smokefree campuses; of these, **2,193** are also 100% tobacco-free.
- **79** municipalities have **smokefree multi-unit housing** laws.
- **538** municipalities and **22** states, commonwealths, and territories **prohibit smoking and vaping of recreational and medical marijuana** in one or more of the following venues: non-hospitality workplaces, restaurants, bars, and/or gambling facilities.
- **1,046** municipalities **restrict e-cigarette use** in 100% smokefree venues. **26** states, commonwealths, and territories also have such a law. An additional **16** states, commonwealths, and territories restrict e-cigarette use only in other venues such as school district property, public housing, or fairgrounds.
- **255** municipalities, and the states of **Massachusetts** and **New York**, prohibit the sale of tobacco in **pharmacies**.
- **688** municipalities and **41** states, commonwealths, and territories have raised the **age to purchase tobacco to 21**.
- **276** municipalities have laws restricting **flavored tobacco sales** in some manner, and **106** of those prohibit flavored tobacco sales, including menthol, without exception. **9** states have laws restricting **flavored tobacco sales** in some manner.

### State and Local Smokefree Laws

- Across the United States, **22,738** municipalities, representing **82.3%** of the US population, are covered by a 100% smokefree provision in non-hospitality workplaces, **and/or** restaurants, **and/or** bars, by **either** a state, commonwealth, territorial, or local law.
- There are **1,185** municipalities with laws in effect that require non-hospitality workplaces, restaurants, **and** bars to be 100% smokefree.

### **Sovereign Tribal Laws & Policies**

- After 13 years of advocacy, Navajo Nation became 100% commercial tobacco-free on February 5, 2022. This historic health policy promotes Navajo fundamental traditional views on health and wellness as it protects Diné (Navajo people), especially the elders, children, and the unborn, from the dangers of commercial tobacco products. **Navajo Nation** has by far the largest land mass of any Native American tribe in the U.S. **and** the largest enrolled population.

### **Other Tobacco Control Policy Provisions**

- There are **3,933** states, commonwealths, territories, and municipalities with a law that restricts smoking in one or more **outdoor areas**, including **1,953** that restrict smoking near entrances, windows, and ventilation systems of enclosed places.
- There are **599** municipalities with **smokefree outdoor dining laws**. Hawaii, Iowa, Maine, Michigan, Washington, and Puerto Rico also have such a law.
- There are **2,613 colleges and universities** with 100% smokefree campuses. Of these, **2,193** are also 100% tobacco-free, and **2,284** prohibit the use of e-cigarettes anywhere on campus, **1,247** prohibit hookah use, and **594** prohibit smoking/vaping marijuana. Under state and territory laws, Arkansas's public college and university campuses are smoke- and e-cigarette-free, along with prohibiting marijuana on both public and private college and university campuses; Hawaii's University of Hawaii campuses are fully tobacco-free and prohibit e-cigarette and marijuana; Illinois's public college and university campuses are smokefree and prohibit e-cigarettes and hookah; Iowa's public and private college and university campuses are smokefree; and Louisiana's public college and university campuses are smokefree. In addition, the Commonwealth of the Northern Mariana Islands' public college and university campuses are fully tobacco-free and e-cigarette-free.

### **State, Commonwealth, and Territorial Laws**

- **36** states, along with the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands, have laws in effect that require non-hospitality workplaces **and/ or** restaurants **and/or** bars **and/or** state-run gambling establishments to be 100% smokefree: Please consult our [State Smokefree Laws](#) document for more details.

*May be reprinted with appropriate credit to the American Nonsmokers' Rights Foundation.*

© Copyright 1998 – 2023 American Nonsmokers' Rights Foundation. All rights reserved. [LS-08]