U.S. Tobacco Control Laws Database©: Research Applications

@ANR_Smokefree  www.no-smoke.org
History of the Database

• Collection started in early 1980’s

• Database created in 1985

• Database includes records back to 1914
  – the earliest smoking control ordinance is a 1936 Milwaukee, WI law prohibiting smoking on buses, and the earliest Youth Access ordinance is a 1914 Houston, MO law prohibiting sales to minors
What’s in the Database?

• Clean Air laws, Local and State
  – Including e-cigarettes, marijuana, and housing

• Sales/Distribution laws, Local and State
  – Including pharmacies, and Tobacco 21

• Youth Access laws, Local and State

• Advertising laws, Local

• Excise Taxes laws, Local

• Conditional Use Permits (CUP’s), Local

The Database is a repository of close to 14,500 laws in over 5000 municipalities, with 370 fields in each record.
Process of Collecting Laws

• Mail Solicitations
  – ANR Foundation’s own
  – Partnership mailings with others

• Monitoring news services
  – Daily updates from Information Specialists
  – Newsletters and websites

• Advocates, Colleagues, and Elected Officials

• Our Members
Analysis & Data Entry

Standardized system designed to ensure objectivity and consistency across all records in the database

– Checked in to our system
– Simultaneous analysis by two members of Analysis staff, using standardized analysis tool and guidelines/protocol
– Discrepancies to Senior staff for final decisions
– Data entry by Analysis staff
– Data entry is checked by policy/administrative staff
– Laws are scanned as well as filed in hard files
Comprehensiveness of Collection

• 98% rate of coverage among cities with a population of 75,000 or more.

• Used National League of Cities mailing list of places with populations of less than 25,000 to vastly increase small cities’ representation.
General Comments on Analysis:

COMUNITY

Name: Sulphur
State: LA
County: Calcasieu
Zip: 70663
County Jurisdiction:
100% County Jurisdiction:
Population: 19515
Uninc. County Pop.:
Admin: 4-15-09: Population based on 2007 estimates from RPM
Comment:
Level: City (aka Place)
Lat: 30.230423
Lon: -93.356397
County FIPS: 22019
Place FIPS: 2273640

NOTES: The jurisdiction(s) affected by county-level ordinances vary widely.

"R" to the left of the community name and to the right of the applicable Yes/No field(s) over each major provision tab indicates action(s) that retract all or part of one or more ordinances at some point. See Repeal table for details.
<table>
<thead>
<tr>
<th>Enactment Date</th>
<th>Type of Law</th>
<th>Law Number</th>
<th>Enacted By</th>
<th>1st Qual.</th>
<th>1st 100%</th>
<th>Other Prod</th>
<th>Eligibility</th>
<th>MJSmok 100%Rec</th>
<th>MJSmok 100%Med</th>
<th>MVSmok 100%Rec</th>
<th>MVSmok 100%Med</th>
<th>Spec. Type</th>
<th>Eff Date</th>
<th>WP Eff Pvt</th>
<th>WP Eff Pub</th>
<th>Rest Eff Date</th>
<th>Bar Eff Date</th>
<th>Gaming Eff Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/2/1990</td>
<td>Executive</td>
<td>99</td>
<td>CityCounty</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10/1/1990</td>
<td>10/1/1990</td>
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<td></td>
</tr>
<tr>
<td>12/1/1993</td>
<td>Ordinance</td>
<td>1110-96</td>
<td>CityCounty</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>12/1/1993</td>
<td>12/1/1993</td>
<td></td>
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<td></td>
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<tr>
<td>8/19/2003</td>
<td>Ordinance</td>
<td>496</td>
<td>CityCounty</td>
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<td></td>
<td></td>
<td>11/20/2003</td>
<td></td>
<td>11/20/2003</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>10/15/2010</td>
<td>Ordinance</td>
<td>551</td>
<td>CityCounty</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>10/15/2010</td>
<td></td>
<td>10/15/2010</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10/10/2013</td>
<td>Policy</td>
<td>N/S</td>
<td>Housing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10/10/2013</td>
<td></td>
<td>10/10/2013</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Residences:
- Hotel/motel rooms: Yes
- Required percent: 75%
- Nursing homes: Yes
- Common areas - indoors: Yes
- Common areas - outdoors: Yes
- Private rooms: Yes
- Effective date: 5/1/2014

### Privately-Owned Housing:
- Common areas - indoors: Yes
- Common areas - outdoors: Yes
- Private units:
  - Indoor units: Yes (100% Smokefree: Yes)
  - Minimum number of units: 2
  - Includes Condominiums: Yes
  - Includes single-room occupancies: Yes
  - Min. % of units smokefree initial: 100%
  - Min. % of units smokefree final: 100%
  - Current residents exempt: No
  - Existing buildings exempt: No
  - Outdoor patios/balconies: Yes
  - Initial effective date: 5/1/2014
  - Final effective date - residents: 5/1/2014

### Multi-unit Dwellings:
- Indoor units: Yes (100% Smokefree: Yes)
- Minimum number of units: 2
- Includes Condominiums: Yes
- Includes single-room occupancies: Yes
- Min. % of units smokefree initial: 100%
- Min. % of units smokefree final: 100%
- Current residents exempt: No
- Existing buildings exempt: No
- Outdoor patios/balconies: Yes
- Initial effective date: 5/1/2014
- Final effective date - residents: 5/1/2014
- Final eff date - 1st 100% Smokefree bldgs: 5/1/2014

### Publicly-Owned Housing:
- Common areas - indoors: Yes
- Common areas - outdoors: Yes
- Private units:
  - Indoor units: Yes (100% Smokefree: Yes)
  - Minimum number of units: 2
  - Min. % of units smokefree initial: 100%
  - Min. % of units smokefree final: 100%
  - Current residents exempt: No
  - Existing buildings exempt: No
  - Outdoor patios/balconies: Yes
  - Initial effective date: 5/1/2014
  - Final effective date - residents: 5/1/2014
  - Final eff date - 1st 100% Smokefree bldgs: 5/1/2014

### Disclosure required:
- Cause of action against neighbors: Yes

Comments:
12/13: Smoking prohibited in individual units, including patios and balconies, and in all indoor and outdoor common areas of nursing homes and MUDs. Use of medical marijuana is exempt. Landlords must provide information on smoking restrictions to applicants for tenancy.
### Gambling
- Protection of Rights:
  - Nonretaliation for exercise of rights: No
  - Nonwaiver of employee rights: No

- Exemption by Application or Status:
  - Hardship exemption: No
  - Required loss in revenue: No
  - Sunset clause: No
  - Grandfather clause: No

- Public Education Requirement: No

### Other

#### Enforcement and Penalties for Violations in Multi-unit Dwelling Private Units

<table>
<thead>
<tr>
<th>Enforcement</th>
<th>First Penalty</th>
<th>Second Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health agency</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Law enforcement</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Fire department</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Code enf. Officer</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Elected officials</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Administrator</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Housing Authority</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Other agency</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

#### Clean Air Comments:
4/13: Other enforcement agency = Housing Authority Management. Other penalty = lease violation.
<table>
<thead>
<tr>
<th><strong>SALES</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Nicotine Delivery Devices or Products/E-cigarettes:</strong></td>
</tr>
<tr>
<td><strong>Vending machines:</strong></td>
</tr>
<tr>
<td>Adult areas exempt:</td>
</tr>
<tr>
<td>Locking device/tokens:</td>
</tr>
<tr>
<td>Supervised:</td>
</tr>
<tr>
<td><strong>Tobacco Sampling:</strong></td>
</tr>
<tr>
<td><strong>Self-Service Displays:</strong></td>
</tr>
<tr>
<td><strong>Out-of-package Sales:</strong></td>
</tr>
<tr>
<td>Cigarettes:</td>
</tr>
<tr>
<td>Cigars:</td>
</tr>
<tr>
<td>Sales to Minors:</td>
</tr>
<tr>
<td>Sales Near Schools:</td>
</tr>
<tr>
<td><strong>Sales in Specific Venues:</strong></td>
</tr>
<tr>
<td>Pharmacies:</td>
</tr>
<tr>
<td>Health Care Institutions:</td>
</tr>
<tr>
<td>Educational Institutions:</td>
</tr>
<tr>
<td>Government Property:</td>
</tr>
<tr>
<td>Other:</td>
</tr>
<tr>
<td><strong>Licensing:</strong></td>
</tr>
<tr>
<td>Suspension or revocation:</td>
</tr>
<tr>
<td>Sales to Minors, Tobacco and/or E-Cigarettes – Age: Under</td>
</tr>
</tbody>
</table>

**Sales/distribution Comments:**

4/94: VMs, sampling, SSDs, and sales to minors prohibited. Other penalty = injunction; suspension of permit.
5/98: Out-of-package sales prohibited. Increased fine from $100 to $300. SSD provision changed from permitting cartons to prohibiting all SSDs.
9/01: Reduced first penalty from fine to warning; reduced second penalty from $300 fine to $100 fine. LICENSING: 4/94: License requirement enacted. Other penalty = injunction.
5/98: Increased fine from $100 to $300.
9/01: Reduced first penalty from fine to warning; reduced second penalty from $300 fine to $100 fine.
11/13: Sales age raised to 21. All regulations made applicable to both tobacco and nicotine delivery products. Other penalty = pursuant to State law.
<table>
<thead>
<tr>
<th>State</th>
<th>Name</th>
<th>Id</th>
<th>Date</th>
<th>Eff Date</th>
<th>WP Prev Eff Date</th>
<th>WP Pub Eff Date</th>
<th>Rst Eff Date</th>
<th>Bar Eff Date</th>
<th>Garn Eff Date</th>
<th>First 100 Pct</th>
<th>OthProd</th>
<th>ECigsUse100</th>
<th>SpecialTyp</th>
<th>OrdType</th>
<th>OrdNo</th>
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<tbody>
<tr>
<td>AK</td>
<td>Palmer</td>
<td>8495</td>
<td>10/2/2012</td>
<td>1/2/2013</td>
<td>1/2/2013</td>
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<td>1/2/2013</td>
<td>WRB</td>
<td>E</td>
<td>WRB</td>
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<td>12-015</td>
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<tr>
<td>AK</td>
<td>Petersburg</td>
<td>6093</td>
<td>6/7/2010</td>
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<td></td>
<td>942</td>
</tr>
<tr>
<td>AL</td>
<td>Waco</td>
<td>5413</td>
<td>4/11/2005</td>
<td>4/11/2005</td>
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<td>03-14A</td>
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<td>Abbeville</td>
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<td>07-11-1</td>
</tr>
<tr>
<td>AL</td>
<td>Adamsville</td>
<td>3499</td>
<td>8/12/1991</td>
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<td>Ordinance</td>
<td>752</td>
</tr>
<tr>
<td>AL</td>
<td>Alabama</td>
<td>7245</td>
<td>4/7/1995</td>
<td>4/7/1995</td>
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<td></td>
<td></td>
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<td></td>
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<td>Ordinance</td>
<td>09</td>
</tr>
<tr>
<td>AL</td>
<td>Alabama</td>
<td>4812</td>
<td>6/19/2003</td>
<td>9/1/2003</td>
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<td></td>
<td></td>
<td>Ordinance</td>
<td>09</td>
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<td>AL</td>
<td>Alabama</td>
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<td></td>
<td></td>
<td></td>
<td>Ordinance</td>
<td>09</td>
</tr>
</tbody>
</table>
Data Uses

- Media Relations & Advocacy
- Community education
- Surveillance
- Evaluation
Fig. 1. Geographic coverage of electronic cigarette clean air regulations in the U.S.
Note 1: Irregular shapes represent counties. Black-outlined circles represent a local municipality that passed a restriction at that location.
Note 2: Alaska and Hawaii are not shown. The only restriction in Alaska is a comprehensive ban in the town of Palmer. The only restriction in Hawaii is a statewide ban on e-cigarette use specifically on grounds of the State Department of Health.
Note 3: States whose only statewide restrictions apply to correctional facilities are not colored. These states are Colorado, Kansas, Oklahoma, and South Dakota.
Note 4: Restrictions superseded by higher level geographic unit restrictions are not shown. Note that some county-level restrictions only apply to unincorporated areas; therefore, local ordinances of the same category are retained in the figure for such municipalities.
Earned Media

Drive for smoke-free casinos picks up steam

By Mark Gruetze

Published: Sunday, April 6, 2014, 9:00 p.m.
Updated 15 hours ago

Gamblers who want to play without the smell and health threat of secondhand smoke have plenty to cheer about lately.

Two Pennsylvania legislators are pushing a bill that would prohibit smoking throughout the casino floor as well as at several other locations now exempt from the state ban. Health officials in the larger counties for most Virginia health issues, they're not going to go in if it's filled with smoke."

Dr. Bill Mercer, health officer for the Wheeling-Ohio County (W.Va.) Health Department, says the timing is right for a regional effort to ban smoking in casinos. With all Ohio casinos smoke-free, extending the smoking bans to Wheeling Island, Mountaineer and Pennsylvania casinos would remove the argument that smokers will go elsewhere to gamble, he says.

He and Hallett say a smoking ban is even more important for casino workers than for gamblers.

“You shouldn't have to hunt for a safe place to work,” Mercer says.
Earned Media

By ColPowell
cpowell@lakesunonline.com
June 11, 2015 7:00AM

Area city discusses smoking ban

Laurie aldermen table suggestion to research the issue and get more input

If the city moves forward with a no smoking ban, Laurie would be the first lake area municipality to institute such a policy.

A citywide public smoking ban was discussed Tuesday evening at the Laurie board of aldermen meeting.

Alderman Allen Kimberling introduced a discussion on the ban near the end of the meeting, prompting a lengthy discussion on whether or not it was something that would heavily impact revenue for the city and local businesses.

Mayor Scott Fahrer said that the city would definitely be healthier for it, but worried they would be frustrating business owners by being so heavy-handed.

"I think you're on the side of right," stated Fahrer, "but I would like 30 days to talk to the businesses about this."

Alderman Greg Lux disagreed with the ban entirely, stating that the city should leave it up to the individual businesses.

"How would we enforce this?" asked Lux. "By the time police responded to a call, there wouldn't be a cigarette in sight."

City Attorney Steve Grantham stated that Lux was correct, and such an ordinance would introduce a variety of complications. It was asked whether lake area towns had such an ordinance, and Osage Beach was brought up.

Osage Beach had a discussion on a public smoking ban in 2012, as well as a survey the previous year that found 68% of the residents would support a ban. It was ultimately decided to leave it up to the businesses. Laurie would be the only
Annual Trends

Number of Local and State Laws* Enacted by Year that Prohibit the Use of Electronic Smoking Devices in Smokefree Environments

As of January 02, 2018

*Laws which included electronic smoking devices in existing or new 100% smokefree workplace, restaurant, and/or bar laws. **Please note:** This document shows the number of laws, not the number of places. Some places have multiple laws. **Please visit our lists page www.no-smoke.org/lists.html to see information by place in map and table formats.**
United States 100% Smokefree Laws
American Nonsmokers' Rights Foundation
As of January 1, 2005

Locality Type with a 100% Smokefree Law
- City
- County

State and Commonwealth Law Type
- 100% Smokefree in Workplaces, Restaurants, and Bars
- 100% Smokefree in one or two of the above
- No 100% Smokefree State Law

Does not reflect tribal laws
United States 100% Smokefree Air Laws
American Nonsmokers' Rights Foundation
As of January 2, 2018

Note: American Indian and Alaska Native sovereign tribal laws are not reflected on this map.

State and Commonwealth/Territory Law Type
- 100% Smokefree in Non-Hospitality Workplaces, Restaurants, and Bars
- 100% Smokefree in one or two of the above
- No 100% Smokefree State Law

Locality Type with a 100% Smokefree Law
- City
- County

Does not reflect tribal laws
# Population Coverage Figures

## Summary of 100% Smokefree State Laws and Population Protected by 100% U.S. Smokefree Laws

January 2, 2018

Population reflects only municipalities and states with ordinances or regulations that are *currently in effect* and do not allow smoking in attached bars or separately ventilated rooms and do not have size, age, or hours exemptions are listed here.

<table>
<thead>
<tr>
<th>Type of Law</th>
<th>Number of States*</th>
<th>Population Covered by Local and State Laws</th>
<th>% of Population Covered by Local and State Laws</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workplaces¹ and/or Restaurants² and/or Bars³ and/or Gambling⁴</td>
<td>36</td>
<td>260,037,921</td>
<td>81.6%</td>
</tr>
<tr>
<td>Workplaces¹ and Restaurants² and Bars³</td>
<td>25</td>
<td>186,019,793</td>
<td>58.4%</td>
</tr>
<tr>
<td>Workplaces¹ and Restaurants² and Bars³ and Gambling⁴</td>
<td>17</td>
<td>130,799,957</td>
<td>41.1%</td>
</tr>
<tr>
<td>Workplaces¹</td>
<td>30</td>
<td>234,749,004</td>
<td>73.7%</td>
</tr>
<tr>
<td>Restaurants²</td>
<td>35</td>
<td>248,709,133</td>
<td>77.5%</td>
</tr>
<tr>
<td>Bars³</td>
<td>30</td>
<td>209,057,515</td>
<td>65.6%</td>
</tr>
<tr>
<td>Gambling⁴</td>
<td>19</td>
<td>158,742,262</td>
<td>49.8%</td>
</tr>
<tr>
<td>Workplaces¹ and Restaurants²</td>
<td>29</td>
<td>221,449,185</td>
<td>69.5%</td>
</tr>
<tr>
<td>Restaurants² and Bars³</td>
<td>30</td>
<td>209,028,546</td>
<td>65.6%</td>
</tr>
</tbody>
</table>

*Number includes state laws currently *in effect*, and does not include Washington D.C. or U.S. commonwealths/territories.

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## 100% Smokefree Provisions and Effective Dates:

<table>
<thead>
<tr>
<th>State Law:</th>
<th>Enactment Dates:*</th>
<th>Workplaces¹</th>
<th>Restaurants²</th>
<th>Bars³</th>
<th>Gambling⁴</th>
<th>Hotels⁵</th>
<th>E-Cigarette Use⁶</th>
<th>Population:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Utah</td>
<td>1994, 3/2006</td>
<td>5/1/06</td>
<td>1/1/95</td>
<td>1/1/09</td>
<td>N/A</td>
<td></td>
<td>5/7/12</td>
<td>2,953,329</td>
</tr>
<tr>
<td>5. Florida</td>
<td>11/2002</td>
<td>7/1/03</td>
<td>7/1/03</td>
<td>7/1/03</td>
<td></td>
<td></td>
<td></td>
<td>10,603,934</td>
</tr>
</tbody>
</table>

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*ANRF American Nonsmokers' Rights Foundation*
Percent of Population Covered by 100% Smokefree Non-Hospitality Workplace, Restaurant, and Bar Laws In Effect As of January 2, 2018

American Nonsmokers' Rights Foundation, www.no-smoke.org

Note: American Indian and Alaska Native sovereign tribal laws are not reflected on this map.

58.4% of the U.S. is protected by a 100% workplace, restaurant, and bar law.

Preemption of Local Non-Hospitality Workplace Laws
P = Has Preemption; cannot pass local laws

www.no-smoke.org
U.S. Population Covered by 100% Smokefree Air Laws
In Non-Hospitality Workplaces (W), Restaurants (R), and Bars (B):
2003-2017

2003: 10%
2004: 13%
2005: 15%
2006: 23%
2007: 29%
2008: 36%
2009: 40%
2010: 47%
2011: 47%
2012: 48%
2013: 48%
2014: 48%
2015: 49%
2016: 58%
2017: 58%

www.no-smoke.org
Peer Reviewed Publications

- 6 National Cancer Institute (NCI) Monographs
- 5 Surgeons General’s Reports
Sample of Research Articles


Applications to Related Issues

• Tracking acute and chronic disease rates
  – Pediatric clinics: asthma, ear infections, bronchitis, etc.
  – AMI admissions
  – Cancer rates and trends over time
    • Fewer “cancer clusters” as cities go smokefree?
Possible Model for Other Policy Tracking

• Are there other potential applications of this type of database?
  – Obesity and nutrition policies
  – Other areas?

• Opportunity to share lessons learned and technical issues from our experience.
States & Municipalities with Laws Regulating Use of Electronic Cigarettes in 100% Smokefree Venues
American Nonsmokers' Rights Foundation

Effective as of January 2, 2018

Note: American Indian and Alaska Native sovereign tribal laws are not reflected on this map.

Please note, this document shows the number of places, not the number of laws. Some places have multiple laws. Please visit our lists page at www.no-smoke.org/lists.html to see information by law in chart format.

State and Commonwealth/Territory Law Type

- Light Blue: Law Restricts E-cigarette Use in 100% Smokefree Venues
- Green: County
- Gray: No E-cigarette Restriction in 100% Smokefree Venues

Locality Type

- Triangle: City
Current Status of Smokefree Protections

• More than 40% of the U.S. population is NOT protected by a 100% Smokefree Workplace, Restaurant, and Bar law.

• For states without these minimal protections, we should strongly advocate for Smokefree Laws before other types of laws.
  – Caveat: Preemption states (*repeal Preemption!*)
  – Laws must include casinos
    • 90% of Commercial Gaming Employees work in Smoke-Filled casinos, including Dealers, Janitors, Technicians, Security, Hosts & Hostesses, Entertainer, and more.
  – Top gaming states (NV, NJ, PA, MS, IN, LA, IA) are NOT Smokefree in casinos (exceptions: laws in New Orleans and East Baton Rouge).

• Good news: there are over 800 commercial and tribal gambling facilities across the U.S.; however, these tend to be smaller gaming states.
Some of the factors influencing health and contributing to health disparities:

- Root causes or social determinants of health such as poverty, lack of education, racism, discrimination, and stigma.
- Environment and community conditions such as how a community looks (e.g., property neglect), what residents are exposed to (e.g., advertising, violence), and what resources are available there (e.g., transportation, grocery stores).
- Behavioral factors such as diet, tobacco use, and engagement in physical activity.
- Medical services such as the availability and quality of medical services.

[cdc.gov/healthequityguide]
**Health Equity** means that every person has an opportunity to achieve optimal health regardless of:

- The Color of their Skin
- Level of Education
- Gender Identity
- Sexual Orientation
- The Job they have
- The Neighborhood they live in
- Whether or not they have a Disability

Endorse a paradigm shift in how to look at equity. For example:

- Supporting and building communities’ ability to engage in reducing inequities at the state/local level;
- Identifying creative ways to eliminate inequities; and
- Measuring equity differently (e.g., city report cards).

We cannot address health equity without addressing tobacco use and exposure to secondhand smoke in workplaces and public places, and in multi-unit housing.
POPULATION PROTECTED VS. POPULATIONS NOT YET FULLY PROTECTED BY SMOKEFREE LAW, AS A PERCENTAGE OF THE U.S. POPULATION

As of January 2, 2017

Population Not Fully Protected

42.1%

Population Protected

57.9%

Preemption States:
CT, FL, NC, NH, OK, PA, TN, VA), 20.8%

Southern States:
AL, AR, KY, LA, MS, SC, WV, 6.5%

Midwest States:
IN, MO, 2.8%

Georgia, 3.1%

Texas, 5.3%

Western States:
AK, CO, ID, NM, NV, WY, 3.6%

www.no-smoke.org
U.S. 100% Smokefree Gambling
American Nonsmokers' Rights Foundation
As of January 2, 2018

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Territories and Commonwealths

Commonwealth of Northern Mariana Islands
Guam
American Samoa
Puerto Rico
U.S. Virgin Islands

Gambling laws reflected on this map do not include bingo.

State and Commonwealth/Territory Law Type
- 100% Smokefree in all State-Regulated Gambling
- State-Regulated Gambling not 100% Smokefree
- State-Regulated Gambling Facilities opened in July 2003 or later 100% Smokefree
- State-Regulated Gambling not permitted

www.no-smoke.org
Smokefree workplace laws were associated with significantly lower odds of initiating smoking and curbed tobacco usage among current smokers.

“The effect of smokefree workplace laws on smoking initiation is equivalent to a $1.57 (in 2007 dollars) tax increase. Smokefree bar laws are associated with lower rates of current smoking, as well as a decrease in the number of days reported smoking among current smokers.”

States with Any Type of Preemption of Smokefree Air Laws
American Nonsmokers' Rights Foundation
January 2, 2018

CT, FL, NH, and SD have total preemption of smoking legislation.
MI preempts local laws relating to restaurants and bars.
NE preempts local laws relating to cigar bars.
NC: Local laws enacted/effective before 10/15/93 remain in force, but may not be strengthened. Local laws after that date may regulate smoking in local govt buildings and vehicles as well as in specified public places.
PA preempts local laws relating to smoking in enclosed workplaces & public places, but permits Philadelphia to enforce its smokefree laws, other than ones pertaining to gambling, provided it does not amend its laws so as to conflict with state law.
TN preempts entire field of regulations except for regulation in public buildings by cities and counties, airport authorities, utility districts, and special school districts, as well as on the grounds of municipal property.
OK and UT preemt local laws other than those restricting smoking in public outdoor areas.
VA: Local laws enacted prior to 1/1/90 are not preempted. Other local laws may require nonsmoking sections in public places and may allow employers to regulate smoking in private workplaces.
WA preempts local laws regulating the use of e-cigarettes in outdoor public places, except in places where children congregate.
WI preempts local laws restricting smoking in outdoor areas, except those laws applying only to public property.

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Moving Forward: Closing Gaps

• **Goal:** Securing 100% smokefree Workplace, Restaurant, Bar, and Gaming laws in places without protections.

• **Challenges:**
  – States with **Preemption**
  – Combatting **Tobacco and Casino Industry interference**, as well as e-cigarette industry & proponents
  – Overcoming perception that the problem is solved
  – Lack of media around harms of Secondhand Smoke Exposure and Benefits of Smokefree Workplaces
  – Competing Policy Interests, in tobacco and other issues
  – Reduced or absent tobacco control infrastructure in many states as a result of reduced funding
  – Legalization and Commercialization of **Marijuana**
How Can We Close the 42% Gap in Smokefree Protections?

• Strategically focus and plan for local smokefree workplace campaigns that include all workplaces; no exemptions.
• Engage all partners and affected populations in the process to increase community understanding and buy-in.
• Repeal Preemption (and prevent the adoption of preemptive state laws).
• In states with smokefree W,R,B and G laws, consider other areas such as smokefree multi-unit housing.
## 100% Status

<table>
<thead>
<tr>
<th>Post-Secondary Campus Type</th>
<th>100% Tobacco-Free Site (smokeless tobacco prohibited)</th>
<th>100% Smokefree Site (smokeless tobacco permitted)</th>
<th>Additional Products Prohibited by 100% Campus Sites</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>100% Free of E-cigarette Use</td>
<td>100% Free of Hookah Use</td>
<td>100% Free of Marijuana Smoking/Vaping</td>
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<tr>
<td>Public</td>
<td>1,371</td>
<td>236</td>
<td>1,366</td>
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<tr>
<td>Private</td>
<td>348</td>
<td>92</td>
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<td>143</td>
<td>1017</td>
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<td>HBCU</td>
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<tr>
<td>Tribal</td>
<td>18</td>
<td>0</td>
<td>2</td>
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<tr>
<td>All Types of Campuses</td>
<td>1,737</td>
<td>328</td>
<td>1,650</td>
</tr>
</tbody>
</table>

## Colleges & Universities

- Smokers who work in a smoke-free environment are more likely to quit. 9.9% of UC employees smoke.
- As of Jan. 2, there were 1,182 smoke-free and tobacco-free colleges and universities. 811 are just tobacco-free, allowing e-cigarettes.
- 7.9% of UCSC students have smoked in the last 30 days.
- 16% of college students nationwide smoke.

Smoke-free campuses are proven to reduce the number of cigarettes smoked per day.
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