States with Any Type of Preemption of Smokefree Air Laws
American Nonsmokers' Rights Foundation
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Preemption

Yes
No

CT and NH have total preemption of smoking legislation.
FL preempts all local smoking legislation except for allowing local laws to regulate e-cigarettes, and local laws to regulate smoking on beaches and parks as of 7/1/22.
MI preempts local laws related 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 gov’t buildings and vehicles as well as in specified public places.
OK and UT preempt local laws other than those restricting smoking in public outdoor areas.
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.
SD has total preemption of smoking legislation, including marijuana.
TN preempts most local smokefree regulations except for in public buildings, on municipal grounds incl parks & amphitheaters, & in age-restricted venues, as well as airport authorities, utility districts, & special school districts.
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.
WI preempts local laws restricting smoking in outdoor areas, except those laws applying only to public property.

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