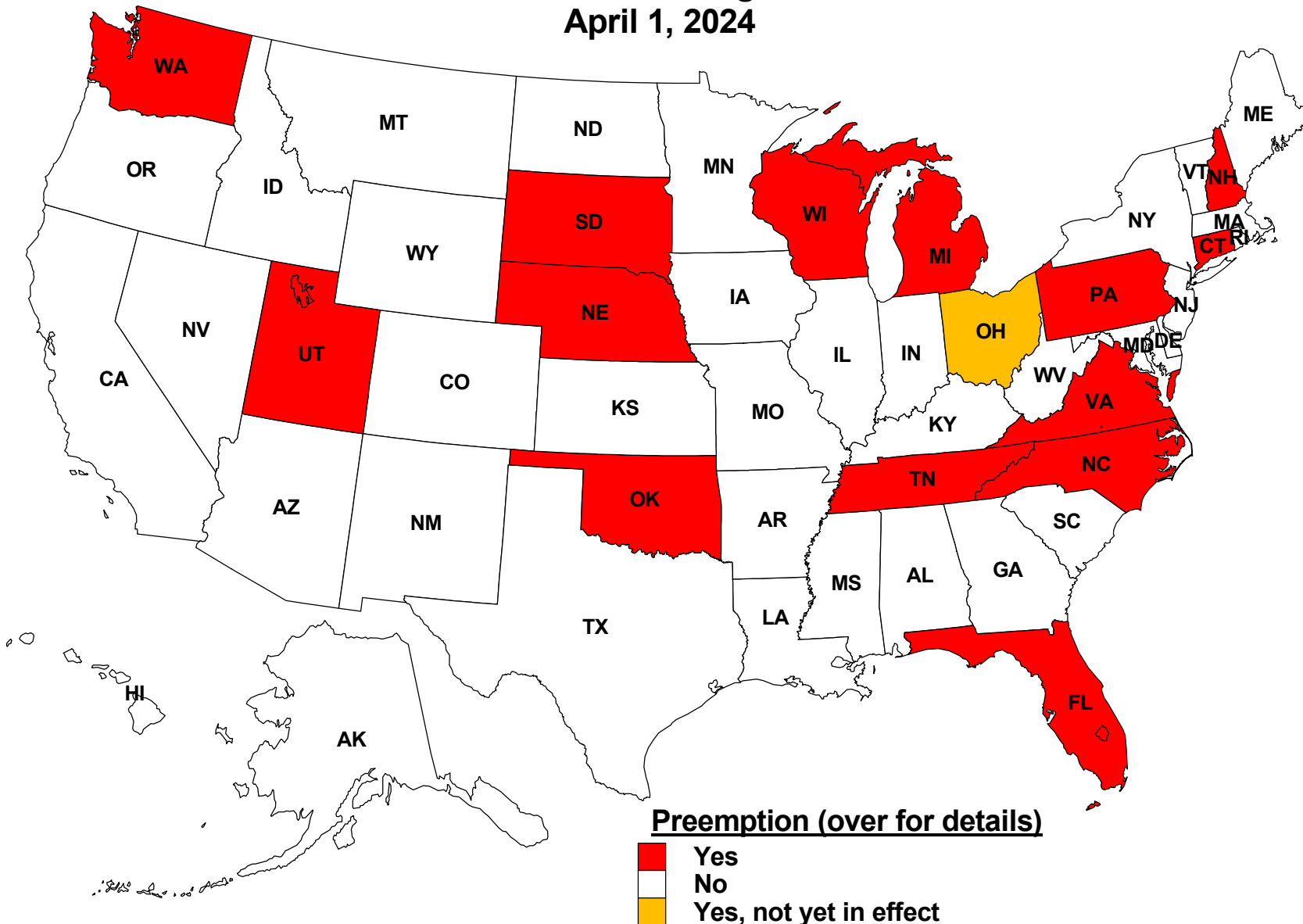


States with Any Type of Preemption of Smokefree Air Laws

American Nonsmokers' Rights Foundation

April 1, 2024



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

Connecticut preempts all local smoking and vaping legislation.

Florida 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.

Michigan preempts local laws relating to restaurants and bars.

Nebraska preempts local laws relating to cigar bars.

New Hampshire preempts all local smoking legislation.

North Carolina preempts some local laws. Those enacted/effective before 10/15/93 remain in effect but may not be strengthened. Local laws enacted after that date may regulate smoking in local government buildings and vehicles, as well as in specified public places.

Ohio municipalities are preempted from regulating use of tobacco and alternative nicotine products, including ESDs delivering nicotine. Existing local regulations explicitly preempted. (Effective 4/24/2024)

Oklahoma preempts local smoking laws other than those restricting smoking in public outdoor areas.

Pennsylvania preempts local laws relating to smoking in enclosed workplaces and public places, except in Philadelphia. The state permits Philadelphia to enforce its smokefree laws (not pertaining to gambling), provided the city does not amend its laws so as to conflict with state law.

South Dakota preempts all local smoking legislation, including marijuana.

Tennessee preempts some local smoking and vaping regulations except for in public buildings, on municipal grounds including parks and amphitheaters, and in age-restricted venues, as well as airport authorities, utility districts, and special school districts.

Utah preempts local smoking laws other than those restricting smoking in public outdoor areas.

Virginia preempts some local laws. Those enacted prior to 1/1/90 remain in effect, and newer local laws may require nonsmoking sections in public places and may allow employers to regulate smoking in private workplaces.

Washington preempts almost all local laws relating to smoking in enclosed workplaces and public places (per a State Supreme Court ruling), but localities may enact laws to close the exemption in state law that allows for smoking in private workplaces within public places. State law also permits localities to implement the state's clean air act.

Wisconsin preempts local laws restricting smoking in outdoor areas, except for those laws applying only to public property.