U.S. Tobacco Control Laws Database: Research Applications
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 and housing
- **Sales/Distribution laws**, Local and State
  - Including pharmacies
- **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 13,000 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
- Discrepancies to Senior staff for final decisions
- Data entered by Senior Policy Analyst
- 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:**

On the main provision tabs, and in the intermediate dates forms, codes to the right of the date fields are as follows:

- **R:** The applicable ordinance has been repealed (see Repeal table for details).
- **PR:** Parts of the applicable ordinance have been repealed (see Repeal table for details).
- **WK:** Parts of the applicable ordinance have been weakened.
- **ND:** No enactment date available.
- **MU:** The month of enactment is unknown (only the Year is known - date shows as 12/31/YY).
- **DU:** The day of enactment is unknown (only the Month and the Year are known - date is shown as MM/28/YY).

**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>ECigs Use 100%</th>
<th>Spec. Type</th>
<th>Eff Date</th>
<th>WP Eff Priv</th>
<th>WP Eff Pub</th>
<th>Rst Eff Date</th>
<th>Bar Eff Date</th>
<th>Gaming Eff Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/14/1991</td>
<td>Ordinance</td>
<td>118</td>
<td>City Cou</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>11/24/1991</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Other Smoking Devices/Products**

**Workplaces**

**Other Smoking Devices/Products:** Yes

Use of e-cigarettes prohibited: Yes

Use of e-cigarettes prohibited in 100% venues (W/R/B/G): WRBG

Use of e-cigarettes specifically permitted: No

If Partial:

Use of hookahs prohibited: Yes

Use of marijuana prohibited: Yes
### Restaurants/Bars/Public/Clubs

**Restaurants:**
- 100% smokefree: **Yes**
- 100% smokefree:* Yes
- Effective date: 05/17/2015
- Minimum nonsmoking area: 100%
- Separately ventilated dining: **No**
- Exempt when seating is: 0 or fewer
- Attached bar: 100% S/F
- Smoking allowed during certain hours: **No**
- From: 
- To: 
- Smoking allowed if minors not present: **No**
- Red Light/Green Light: **No**

**Freestanding Bars:**
- 100% smokefree:* Yes
- Effective date: 05/17/2015
- Minimum nonsmoking area: 100%
- Separately ventilated room: **No**
- Smoking allowed during certain hours: **No**
- From: 
- To: 
- Smoking allowed if minors not present: **No**

**Other Public Places:**
- Public places generally: **Yes**
- Retail stores: **Yes**
- Sports facilities: **Yes**
- Government buildings: **Yes**
- Public transportation: **Yes**
- Bowling centers: **Yes**
- Billiard/pool halls: **Yes**
- Bingo parlors: **Yes**
- Service lines: **Yes**
- Airports: **Yes**
- Day care: **Yes**

### Foster Care
- Homes: **No**
- Transportation: **No**

### Private Clubs
- With employees: **Partial**
- When open to public: **Yes**

### Private Vehicles
- Per child restraint law: **No**
- Passenger age: under **No**
<table>
<thead>
<tr>
<th>Residences</th>
<th>Market rate housing</th>
<th>Multi-unit Dwellings</th>
<th>Public/affordable housing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel/motel rooms:</td>
<td>Common areas - indoors: Yes</td>
<td>Common areas - indoors: Yes</td>
<td>Indoor units: Yes</td>
</tr>
<tr>
<td>Required percent:</td>
<td>Private units:</td>
<td>Minimum number of units:</td>
<td>Min. number of units:</td>
</tr>
<tr>
<td>Nursing homes:</td>
<td>Private units:</td>
<td>Includes Condominiums:</td>
<td>Min. number of units:</td>
</tr>
<tr>
<td></td>
<td>Indoor units:</td>
<td>Includes single-room occupancies:</td>
<td>Min. % of units smokefree current:</td>
</tr>
<tr>
<td></td>
<td>100% Smokefree:</td>
<td>Min. % of units smokefree current:</td>
<td>Min. % of units smokefree future:</td>
</tr>
<tr>
<td></td>
<td>Current residents exempt:</td>
<td>Min. % of units smokefree future:</td>
<td>Current residents exempt:</td>
</tr>
<tr>
<td></td>
<td>Existing buildings exempt:</td>
<td></td>
<td>Existing buildings exempt:</td>
</tr>
<tr>
<td></td>
<td>Outdoor patios/balconies:</td>
<td></td>
<td>Outdoor patios/balconies:</td>
</tr>
<tr>
<td></td>
<td>Initial effective date:</td>
<td></td>
<td>Initial effective date:</td>
</tr>
<tr>
<td></td>
<td>Final effective date - residents:</td>
<td></td>
<td>Final effective date - residents:</td>
</tr>
<tr>
<td></td>
<td>Final eff date - 1st 100% Smokefree bldgs:</td>
<td></td>
<td>Final eff date - 1st 100% Smokefree bldgs:</td>
</tr>
</tbody>
</table>

**Disclosure required:**

**Cause of action against neighbors:**

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3/93: Smoking prohibited in indoor common areas of nursing homes, except in designated smoking areas. Hotel/motel rooms are exempt.

6/05: Smoking prohibited in indoor common areas of nursing homes and MUDs. Private nursing home rooms are exempt.

8/07: Generally, hotel/motel rooms must be at least 50% nonsmoking, but smoking is permitted in all hotel/motel rooms operated by casino or gambling facilities.

4/15: Exemption for hotel/motel rooms operated by gambling facilities deleted. Smoking prohibited in outdoor common areas of nursing homes and MUDs, except in designated smoking areas not to exceed 25% of total area and located at least 25 feet from entrances, etc., to enclosed areas where smoking is prohibited.
Protection of Rights:
- Nonretaliation for exercise of rights: Yes
- Nonwaiver of employee rights: Yes

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

Public Education Requirement: Yes

First Penalty:
- Fine: $100
- Jail Term: No
- Infraction: No
- Misdemeanor: Yes
- Injunction/abate. of nuisance: No
- Suspension/revoc. of license: Yes
- Other: No
- N/S: No

Second Penalty:
- Fine: $250
- Jail Term: No
- Infraction: No
- Misdemeanor: Yes
- Injunction/abate. of nuisance: No
- Suspension/revoc. of license: Yes
- Other: No
- N/S: No

Clean Air Comments:
11/91: Smoking prohibited in public schools, except in designated smoking areas.
3/93: Workplaces with more than 15 employees must have smoking policy. Smoking prohibited in specified areas. Employees may designate own area as nonsmoking. Private offices are exempt. Restaurants with more than 50 seats must generally be at least 50% nonsmoking, but smoking section can be expanded by 10% under specified circumstances. Smoking prohibited in public places generally, but smoking sections permitted in various places and smoking permitted in retail stores that accommodate 150 or fewer people or that have 15 or fewer employees. Other enforcement agency = Fire Dept. Other penalty = notice of correction.
6/05: Smoking prohibited in all workplaces and public places generally. Smoking prohibited in...
### Nicotine Delivery Devices or Products/E-cigarettes:
- No

### Vending machines:
- None
  - Adult areas exempt: No
  - Locking device/tokens: No
  - Supervised: No

### Tobacco Sampling:
- No

### Self-Service Displays:
- No

### Enforcement:
- Health agency: No
- Elected officials: No

#### 1st Penalty:
- Fine: $100
- Injunct./abate. of nuisance: No

#### 2nd Penalty:
- Fine: $300
- Injunct./abate. of nuisance: No

### Out-of-package Sales:
- Cigarettes: No
- Cigars: No

### Sales in Specific Venues:
- Pharmacies: No
- Health Care Institutions: No
- Educational Institutions: No
- Government Property: No
- Other: No

### Sales Near Schools:
- No

### Licensing:
- Suspension or revocation: No

### Sales to Minors:
- Yes

### Sales to Minors, Tobacco and/or E-Cigarettes – Age: Under

### Sales/distribution Comments:
11/91: Sales to minors prohibited. Fines are minimums.
| Name         | Id | Date     | Eff Date | WP Prev Eff Date | WP Pub Eff Date | Rst Eff Date | Bar Eff Date | Garn Eff Date | First 100 Pct | OthProd | ECIGsUse100 | SpecialType | OrdType | Ord      |
|--------------|----|----------|----------|------------------|----------------|--------------|--------------|--------------|--------------|------------|----------|-------------|-------------|---------|----------|
| Palmer       | 8495 | 10/2/2012 | 1/2/2013 | 1/2/2013         | 1/2/2013       |              |              |              |              | WRB        | E         | WRB         | Ordinance  | 12-015   |
| Petersburg   | 6093 | 6/7/2010  | 6/7/2010 |                  |                |              |              |              |              |            |           |             | Ordinance  | 942      |
| Skagway      | 2844 | 8/15/2002 | 8/15/2002 | 8/15/2002        |                |              |              |              |              |            |           |             | Ordinance  | 02-02    |
| Wacilla      | 3455 | 5/10/2004 | 1/2/2005  | 1/2/2005         | 1/2/2005       |              |              |              |              |            |           |             | Ordinance  | 05-14-A   |
| Abbeville    | 6840 | 7/18/2011 | 7/18/2011 |                  |                |              |              |              |              |            |           |             | Ordinance  | 07-11-1  |
| Arab         | 1260 | 10/1/1990 | 10/1/1990 |                  |                |              |              |              |              |            |           |             | Ordinance  | 50-3     |
Data Uses

- Media Relations & Advocacy
- Community education
- Surveillance
- Evaluation
Earned Media

Idaho, Louisiana, Florida and Indiana have laws that make restaurants 100% smoke-free, but still allow smoking in bars.

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 home county for West Virginia’s

got someone with a significant health issue, 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.
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
U.S. 100% Smokefree Laws in Non-Hospitality Workplaces AND Restaurants AND Bars
American Nonsmokers' Rights Foundation
As of July 1, 2015
Note: American Indian and Alaska Native sovereign tribal laws are not reflected on this map.

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

State and Commonwealth/Territory Law Type
- ▲ 100% Smokefree Non-Hospitality Workplace, Restaurant, and Bar Law
- 100% Smokefree Non-Hospitality Workplace, Restaurant, and Bar Law
- Law doesn't cover 100% Smokefree Non-Hosp. Workplaces & Restaurants & Bars

Legend:
- W: 100% Smokefree Non-Hospitality Workplaces
- R: 100% Smokefree Restaurants
- B: 100% Smokefree Bars
Population Protected

Summary of 100% Smokefree State Laws and Population Protected by 100% U.S. Smokefree Laws
July 1, 2015

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>250,535,498</td>
<td>81.8%</td>
</tr>
<tr>
<td>Workplaces¹ and Restaurants² and Bars³</td>
<td>24</td>
<td>151,503,762</td>
<td>49.5%</td>
</tr>
<tr>
<td>Workplaces¹ and Restaurants² and Bars³ and Gambling⁴</td>
<td>16</td>
<td>100,779,525</td>
<td>32.9%</td>
</tr>
<tr>
<td>Workplaces¹</td>
<td>29</td>
<td>199,444,161</td>
<td>65.1%</td>
</tr>
<tr>
<td>Restaurants²</td>
<td>35</td>
<td>237,094,293</td>
<td>77.4%</td>
</tr>
<tr>
<td>Bars³</td>
<td>30</td>
<td>200,077,026</td>
<td>65.3%</td>
</tr>
<tr>
<td>Gambling⁴</td>
<td>19</td>
<td>154,838,933</td>
<td>50.5%</td>
</tr>
<tr>
<td>Workplaces¹ and Restaurants²</td>
<td>28</td>
<td>186,145,335</td>
<td>60.8%</td>
</tr>
<tr>
<td>Restaurants² and Bars³</td>
<td>30</td>
<td>200,137,267</td>
<td>65.3%</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>State Law:</th>
<th>Enactment Date:</th>
<th>Provisions and Effective Date:</th>
<th>Population:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Utah</td>
<td>1994, March 2006</td>
<td>Workplaces¹ (5/1/06), Restaurants² (1/1/95) &amp; Bars³ (1/1/09)</td>
<td>2,610,198</td>
</tr>
<tr>
<td>2. California</td>
<td>July 1994</td>
<td>Restaurants², Bars³ &amp; Gambling⁴ (1/1/98)</td>
<td>37,483,448</td>
</tr>
<tr>
<td>3. South Dakota</td>
<td>Feb 2002, Nov 2010</td>
<td>Workplaces¹ (7/1/02), Restaurants², Bars³ &amp; Gambling⁴ (11/10/10)</td>
<td>805,562</td>
</tr>
<tr>
<td>4. Delaware</td>
<td>May 2002</td>
<td>Workplaces¹, Restaurants², Bars³ &amp; Gambling⁴ (11/27/02)</td>
<td>880,458</td>
</tr>
<tr>
<td>5. Florida</td>
<td>November 2002</td>
<td>Workplaces¹, Restaurants² &amp; Gambling⁴ (7/1/03)</td>
<td>12,923,813</td>
</tr>
</tbody>
</table>
Peer Reviewed Publications

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


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.
For More Information

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