States with Any Type of Preemption of Smokefree Air Laws

American Nonsmokers' Rights Foundation

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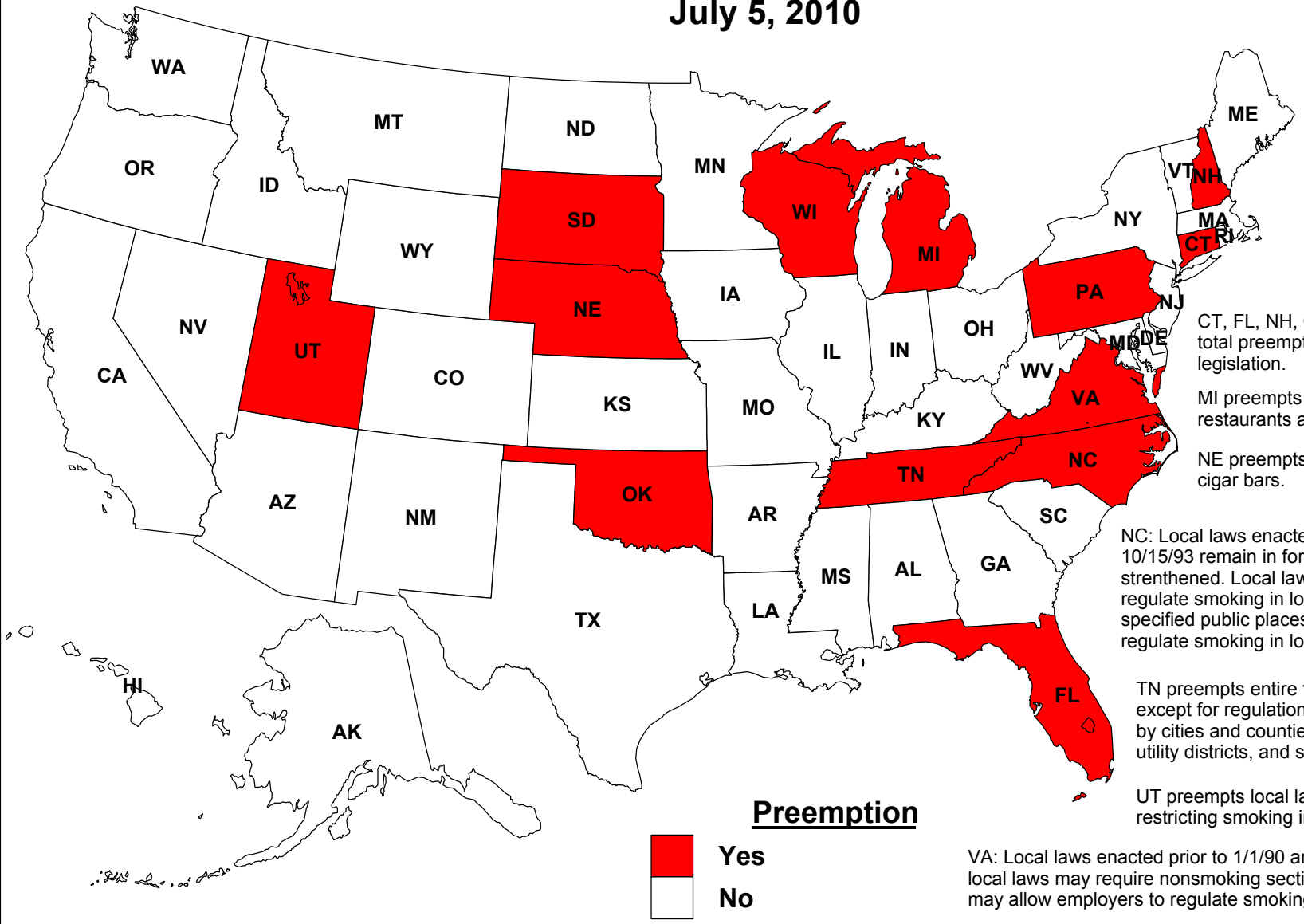

CT, FL, NH, OK, PA, and SD have total preemption of smoking legislation.

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 strenthened. Local laws after that date may regulate smoking in local gov't buildings & specified public places. Local laws may regulate smoking in local gov't vehicles.

TN preempts entire field of regulations except for regulation in public buildings by cities and counties, airport authorities, utility districts, and special school districts.

UT preempts 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.

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.