State and Local Smoke-Free Laws for Worksites, Restaurants, and Bars—United States, 2015

MMWR **Introduction**

Secondhand smoke (SHS) exposure causes more than 41,000 deaths among nonsmoking adults and 400 deaths in infants each year. There is no risk-free level of SHS exposure. Smoke-free laws that prohibit smoking in all indoor areas of a location fully protect nonsmokers from involuntary exposure to SHS in these indoor areas. This report updates a previous CDC report that evaluated state smoke-free laws in effect from 2000-2010, and now includes estimates for individuals protected by local laws. The number of states and the District of Columbia (DC) with laws that prohibit smoking in indoor areas of worksites, restaurants, and bars increased from zero in 2000 to 26 in 2010 to 27 in 2015. When local smoke-free laws are also considered, the percentage of the US population that is protected increased from 2.72% in 2000 to 47.8 in 2010 to 49.6 in 2015. Additionally, California adopted a law in May 2016, effective June 9, 2016, that eliminated exemptions in the state smoke-free law to increase the number of people protected by state and local laws in 2016. Despite this progress, regional disparities remain in the proportions of state populations covered by state or local smoke-free policies—no states in the southeast have a statewide comprehensive smoke-free law.

In some states, substantive progress has been made adopting comprehensive smoke-free laws at the local level, including states in the South. For example, although West Virginia has no statewide smoke-free law, local laws that prohibit smoking in worksites, restaurants, and bars provide protection for 60.1% of the state's population. Other states such as Texas (36.6%), South Carolina (31.8%), Kentucky (31.4%), and Mississippi (24.2%) all protect between a quarter and a third of the state's population through local smoke-free laws.
Nine of 24 states without comprehensive statewide smoke-free laws also lack any local smoke-free laws, 8 states (Connecticut, Florida, New Hampshire, North Carolina, Oklahoma, Pennsylvania, Tennessee and Virginia) preempt or prohibit the adoption of local smoke-free laws. Nevada is the only of these states where local comprehensive smoke-free laws are allowed, yet none have been adopted. Although local smoke-free laws are permitted in Georgia (2.4%), Arkansas (0.5%) and Wyoming (0.3%), relatively few local comprehensive laws exist in those states.

Eliminating smoking in indoor spaces fully protects nonsmokers from SHS exposure; separating smokers from nonsmokers, cleaning the air, or ventilating buildings cannot completely eliminate exposure. Persisting gaps in smoke-free protections leaves large numbers of vulnerable populations exposed to SHS and lead to greater health disparities between geographic and ethnic populations. Continued efforts to put into action comprehensive statewide laws prohibiting smoking in workplaces and public places are critical to protect nonsmokers from this preventable health hazard in the places they live, work, and gather.

MMWR **Highlights**

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- The number of states (including DC) with comprehensive smoke-free laws in effect increased from zero on December 31, 2000, to 28 on June 9, 2016.
- When local smoke-free laws are also considered, the percentage of the US population protected increased from 2.72% in 2000 to 49.6% in 2015. With California's new law, enacted in June 2016, it is estimated that nearly 60% of the United States is protected by state and local laws.
- There are 10 states that do not have a law restricting smoking in worksites, restaurants, and bars, but have restrictions on smoking in 1 or 2 of those locations (Florida, Indiana, Louisiana, Nevada, North Carolina, Arkansas, Idaho, New Hampshire, Pennsylvania, and Tennessee).
- There are 9 states in which 0% of the population is protected by state or local smoke-free laws (Connecticut, Florida, Nevada, New Hampshire, North Carolina, Oklahoma, Pennsylvania, Tennessee, and Virginia.)