

WHY PASS A STRONG SMOKE-FREE LAW?



COMPROMISE CAN BE A GOOD THING BUT NOT WHEN IT COMES TO PROTECTING WORKER HEALTH

A WEAK LAW WILL NOT BE A “STEP IN THE RIGHT DIRECTION”

- Everyone has the right to breathe smoke-free air at work and in public places.
- What may seem like a “reasonable compromise” ends up compromising the health of certain workers.
- It can take many years for lawmakers to revisit legislation that limits smoking in the workplace. Meanwhile, the loopholes in a weak law mean some workers are forced to breathe cancer-causing secondhand smoke for decades longer than other workers who are covered by the law.
- No amount of secondhand smoke exposure is safe according to the Surgeon General.¹ The Surgeon General’s 50th anniversary report calls for the “complete protection of the entire U.S. population from exposure to tobacco smoke through comprehensive, smoke-free indoor air policies.”²

LOOPHOLES ARE CONFUSING

- When a law with exemptions for some types of businesses is passed, the public is often uncertain which establishments allow smoking and which do not. In contrast, a comprehensive law that covers all workplaces is self-enforcing because everyone knows that all indoor workplaces and public places are smoke-free.
- Enforcement agencies must spend time and money determining who is covered and who is exempted when weak legislation is passed.

EXEMPTIONS CAN LEAD TO COSTLY LEGAL CHALLENGES

- If certain types of establishments are exempted, lawsuits are inevitable because exemptions don’t provide equal protection to workers. Lawsuits over smoke-free exemptions cost local and state governments hundreds of thousands of dollars in legal fees.
- In Kentucky, Lexington was sued over its “private organization” exemption and Louisville was first sued for exempting bars and then again for excluding Churchill Downs. Both cities spent money and valuable time defending those exemptions in court, only to later pass comprehensive laws that apply to all businesses equally. Why not save public funds and do it right the first time?

COMPREHENSIVE SMOKE-FREE LAWS THAT COVER EVERYONE ARE EASIEST AND BEST!

¹ U.S. Department of Health and Human Services, The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General, 2006. Department of Prevention, National Center for Chronic Disease and Prevention and Promotion, Office on Smoking and Health: Atlanta, GA.

² U.S. Department of Health and Human Services. The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014. <http://www.surgeongeneral.gov/library/reports/50-years-of-progress/index.html>.