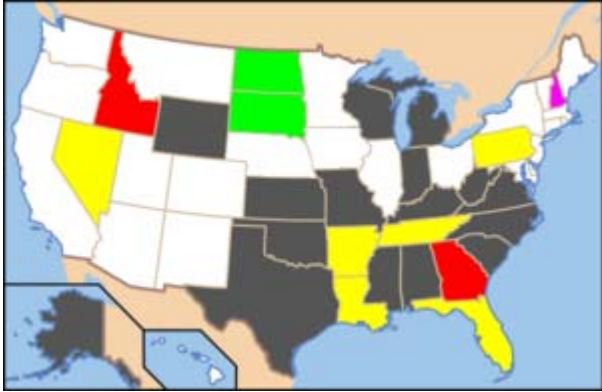


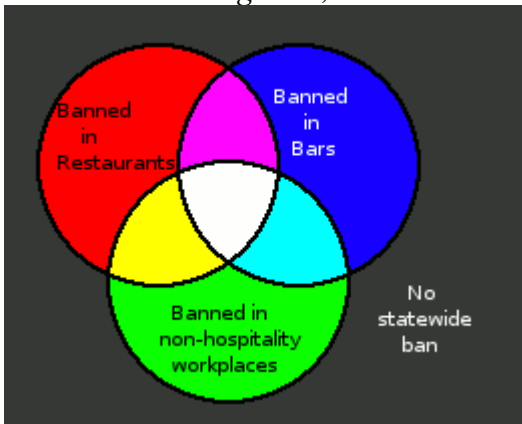
List of smoking bans in the United States

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State-wide smoking bans, both active and scheduled. See below for key to colors.



The following is a list of smoking bans in the United States.

Article One of the Constitution of the United States does not grant the United States Congress the specific power to regulate smoking or tobacco use. Conceivably, however, Congress could attempt to enact a nationwide smoking ban using, for example, the Commerce Clause by regulating tobacco, including where it is consumed, or the Taxing and Spending Clause, by making a state's access to certain federal funds contingent on the state adopting a statewide smoking ban. Alternatively, Congress could attempt to amend the Constitution to prohibit smoking nationwide (as it did to enact Prohibition in the United States by means of the Eighteenth Amendment in 1919). But no proposal for any of these measures ever has ever been put forth before Congress.

Therefore, smoking bans in the United States are only a product of state and local criminal and occupational safety and health laws. What follows is a list of such state and local laws. Over 50% of Americans are covered by a 100% smoking ban.[1] For smoking bans and restrictions outside the United States, see the worldwide list of smoking bans following the United States. [Bans in public places or bars/restaurants

Alabama

No statewide smoking ban. A bill to enact a statewide smoking ban failed before the Alabama Legislature in May of 2008.[2]

Gadsden, Alabama banned smoking in all restaurants within the city limits, effective 5 May 2007

Decatur, Alabama banned smoking in businesses, including restaurants and bars, effective 1 October 2007.[3]

Alaska

No statewide smoking ban.

Anchorage, July 1, 2007, banned in all enclosed workplaces, including bars, restaurants, and private clubs.[4]

Juneau, January 2, 2008, banned in all enclosed workplaces, including bars, restaurants, and private clubs.[5]

Arizona

Statewide smoking ban: in November of 2006, 54.7% of voters approved the Smoke Free Arizona Act (Proposition 201), banning smoking in all bars, restaurants, and workplaces in Arizona. The ban came into effect on 1 May 2007.[6]

Arkansas

Statewide partial smoking ban: July 21, 2006, banned in almost all workplaces in Arkansas. Exceptions include establishments that do not allow patrons younger than 21; retail tobacco stores; long-term care facilities including nursing homes; gaming floors of operations regulated by the Arkansas Racing Commission; designated hotel smoking rooms; and workplaces with fewer than three employees.

California

Statewide smoking ban: 1994, banned in all workplaces (excepting tobacconists), including all restaurants; in 1998, smoking was banned in bars. Additionally, California prohibits smoking within 20 feet (6.5m) of any door, window or air intake of any government building within the state, including buildings owned or occupied (e.g. leased) by any government entity, including public universities, or public buildings leased to private firms.[7] Additionally, as of 2008, smoking in the presence of a minor (17 years or younger) while in a moving vehicle is a misdemeanor offense. The charge is not strict enough to be pulled over; it only can be cited along with a stricter offense, such as a moving violation or traffic accident.[8]

Belmont, October 9, 2007, banned in parks and other public places, as well as inside apartments and condominiums.[9]

Beverly Hills, October 1, 2007, banned in all outdoor dining areas[10].

Burbank, April, 2007, joined Calabasas and Santa Monica by restricting smoking in most public places including Downtown Burbank, outdoor dining & shopping areas, parks, service lines and within 20 feet of all building entrances/exits. [8]. The Secondhand Smoke Control Ordinance was supported by Mayor Todd Campbell, Jef Vander Borgh and Marsha Ramos following independent requests by 2 Burbank residents, Eric Michael Cap & Robert Phipps Esq.[9] and overwhelming community support.

Calabasas, 2006, banned in all indoor and outdoor public places, except for a handful of scattered, designated outdoor smoking areas in town. Believed to be the strictest ban in the United States.[11]

El Cajon, August 14, 2007, banned on city streets, in outdoor patios in restaurants, and outside of the local shopping mall. Anyone caught smoking in public areas will faces a fine of up to \$500. The city previously outlawed smoking in parks, and also requires businesses that sell tobacco products to obtain a city license.

Los Angeles, 2007, banned in all city parks.

San Luis Obispo, August 2, 1990, became the first city in the world to ban smoking in all public buildings.[12]

Santa Monica, 2006, banned smoking within 20 feet of entrances, exits or operable windows of a public building (such as City Hall and the courthouse), in local parks (including parking lots), on the Third Street Promenade, on local beaches and on the Santa Monica Pier (except within designated zones).

Colorado

Statewide smoking ban: on July 1, 2006, the Colorado Clean Indoor Air Act[13] went into effect, making Colorado the 13th state to pass a comprehensive public indoor smoking ban. The law prohibits smoking in nearly all enclosed workplaces and public indoor places, including bars, restaurants, and casinos. The law exempts tobacconists, cigar-tobacco bars, limousines under private hire, up to 25% of hotel rooms, workplaces which are not open to public and which employ fewer than three employees, and private non-residential farm buildings of farms with less than \$500,000 in annual gross income. In June of 2006, a group of bar owners filed suit in the United States District Court for the District of Colorado and sought an temporary restraining order preventing the Act from taking effect the following month while their lawsuit was pending, but their request was denied.[14]

Connecticut

Statewide smoking ban: the Clean Indoor Air Act,[15], effective April 1, 2004, prohibits smoking in nearly all indoor public places and workplaces, including bars and restaurants. Exemptions include existing private clubs, cigar bars, correctional facilities, smoking areas of psychiatric facilities, public housing projects, up to 25% of hotel rooms, and some businesses with fewer than five employees (not including bars and restaurants).

Delaware

Statewide smoking ban: November, 2002 banned in all public buildings, including workplaces, bars, restaurants, and casinos.

[District of Columbia

January, 2007, banned in bars, restaurants and other public places. Exempts outdoor areas, hotel rooms, retail tobacco outlets, cigar bars, hookah bars, and business which can show that they receive 10% or more of their annual revenue from tobacco sales, excluding cigarette machines.[16]

Florida

Statewide partial smoking ban: July 1, 2003, banned in all enclosed workplaces; exempts private homes, tobacco shops, designated rooms at motels and hotels, and stand alone bars with no more than 10% of revenue from food sales.

Georgia

Statewide partial smoking ban: July 1, 2005, banned in restaurants and bars which allow minors under 18 to enter, or which employ minors.

Athens-Clarke County, 2005, banned in all enclosed workplaces, including restaurants and bars.

Morrow, September 21, 2006, banned in all enclosed workplaces, including restaurants and bars.

Hawaii

Statewide smoking ban: November 16, 2006, banned in all enclosed or partially enclosed workplaces.

Hawaii County, March 13, 2008, banned in public recreational areas, such as parks and beaches.

Idaho

Statewide partial smoking ban: July, 2004, banned in restaurants, retail stores, sports venues, child care centers, schools, hospitals, and bowling alleys. Exempts bars and private clubs.

[edit] Illinois

Statewide smoking ban: on January 1, 2008, the Smoke Free Illinois Act became effective. The act bans smoking in virtually all enclosed workplaces statewide, including bars, restaurants, and casinos, subject to a few, narrow exemptions. The act supersedes all local bans which are less restrictive, but permits local governments to enact more restrictive smoking bans.[17]

[edit] Indiana

No statewide smoking ban.

Allen County, 2007 banned in all places, except for bars, and any establishments prohibiting minors under 21 from entering. Similar to the Cook County smoking ban, municipalities are allowed to opt out of it, as New Haven decided to do.

Avon, September 1, 2006, banned in all public places except bars.

Bloomington, January 1, 2005 banned in public buildings including outdoor dining areas. Smoking is allowed only outside at a "reasonable distance" from doors, vents, and windows - measured by whether smoke can drift inside. Also banned in bars and private clubs as of 2005. From January 1, 2008 also banned on the campus of Indiana University, including all outdoor areas.

Carmel, March 5, 2006 banned in all workplaces, enclosed areas and common-use areas (i.e. restrooms, lobbies, etc.), nursing homes and retirement facilities, condos, and restaurants. Exempts bars that don't employ or serve people under 21, tobacco stores and bars, private vehicles, private and fraternal clubs, and hotel/motel rooms, providing that 20% or fewer rooms are designated for smoking.

Clarksville, December 11, 2007, rejected ban on smoking in all places open to the public[18]

Columbus, February 1, 2006, banned in all public places, except bars and private clubs.

Crown Point, April 1, 2008, banned in all places, except bars and private clubs.

Delaware County

Evansville, January 2, 2007 banned in most public places, except in establishments with physically separated smoking rooms prohibiting minors under 18.

Fort Wayne, banned in January 1999 in all restaurants, except in separate, fully enclosed area(s) within a restaurant with a ventilation system. Exempted bars and bowling alleys. Effective June 1, 2007, Fort Wayne's ban expanded to include all restaurants, bars, and private clubs. The new ban exempts retail tobacco stores and hotel rooms that are specifically designated for smoking. [10]

Franklin, August 1, 2006 banned in all public places, except bars and private clubs.

Goshen, September 1, 2007 banned in all places, except bars and private clubs.

Greencastle, September 1, 2007, banned in all businesses, including restaurants and bars.

Greenfield, March 1, 2006 banned in all public places, but exempts bars.

Greenwood, April 22, 2006 banned in all places, except bars.

Indianapolis, March 1, 2006 banned in all workplaces, day-care facilities, sports arenas, and restaurants and bars serving or employing minors younger than 18. Exempts bowling alleys, tobacco bars, tobacco stores, and private clubs.

Jeffersonville, June 15, 2006 banned in almost all public places, including restaurants. Exempts bars and private clubs.

Kokomo, October 6, 2006 banned in all public places and workplaces, except bars, private clubs, nursing homes, and any establishments serving alcohol and not serving patrons under 21.

Lafayette, September 1, 2008 banned in all enclosed public places except hotel rooms designated for smokers, tobacco shops, private clubs, and places that employ and serve only people 21 and older during all business hours.

Lawrence, July 1, 2006 banned in all places except bars.

Ligonier, November 2007 rejected ban on smoking in all buildings open to the public[19]

Madison,

Morgan County, January 1, 2005 banned in all restaurants, except ones that have separate smoking rooms.

Muncie, July 15, 2006 banned smoking in restaurants and bowling alleys, except those with attached bars that were closed off from the rest of the building. Exceptions were also made for bars and taverns.

New Haven, rejected ban; instead, passed similar law to those in place in St. Louis County, Missouri and Lake St.

Louis, Missouri, requiring businesses permitting smoking to post exterior signage stating their smoking policy.

Plainfield, February 1, 2007 banned in workplaces, restaurants, and bars. Exempts private clubs and nursing homes.

Seymour, July 30, 2006 banned in public places except bars and private clubs.

Shelbyville, August 1, 2006 banned in all public places, but exempts bars.

Speedway, September 1, 2006 banned in all indoor public places except bars.

Valparaiso, April 1, 2007, banned in all places, except bars and private clubs.

Vanderburgh County

West Lafayette, July 1, 2007 banned in all workplaces except homes, some hotel rooms, retail tobacco stores, tobacco bars, private clubs and outdoor areas in the city, including Purdue University's main campus.

Zionsville, August 10, 2006 banned in all indoor public places, including workplaces, restaurants, bars. Also banned in private clubs, like Bloomington's ban.

Iowa

Statewide smoking ban: July 1, 2008, after Governor Culver signed H.F. 2212, the Smoke Free Air Act, smoking is banned in all restaurants and bars, as well as most other enclosed workplaces statewide. The act exempts casinos and the veterans home in Marshalltown.[20]

Kansas

No statewide smoking ban. The Kansas Legislature twice has rejected a statewide smoking ban, once in January of 2007 and again in August of 2007.[21] A third attempt failed when it was not passed by the end of the legislative year in May of 2008.[22] In 2007, upon a bar owner's challenge to Lawrence's smoking ban, the Kansas Supreme Court ruled that cities and counties may enact smoking bans which are more stringent than state law.[23]

Abilene, August 29, 2005, banned in all workplaces, except bars and bowling alleys.

Derby, January 1, 2009, banned in all workplaces; exempts restaurants and bars unless Wichita passes a smoking ban affecting such establishments.

Fairway, January 1, 2006, banned in all public places.

Garden City, January 8, 2007, banned in all restaurants and bars, and private clubs. Exempts private offices.

Harvey County, January 1, 2008, banned in all workplaces, including restaurants and bars in unincorporated areas of Harvey County, and within 20 feet (6.1 m) of the entrances to those places.[24]

Unincorporated areas of Johnson County, April 1, 2007, banned in all enclosed workplaces[25]

Lawrence, July 1, 2004, began a ban on smoking in "all enclosed public places" within the city.

Leawood, January 2, 2008, was the 2nd Kansas City area municipality to agree to the KRHA model smoking ban ordinance, similar to the ban passed in Overland Park. It bans smoking in all places, except for outdoor patio areas of restaurants.

Mission, September 1, 2008, banned in all enclosed workplaces, including bars and restaurants; also banned within 20 feet of entrances and windows of such facilities[26]

Mission Hills, May 2007, rejected smoking ban[27]

Newton, January 1, 2008, banned in the indoor areas of all public workplaces, including restaurants and bars, and within 20 feet (6.1 m) of the entrances to those places[28]

North Newton, January 1, 2008, banned in the indoor areas of all public workplaces, including restaurants and bars, and within 20 feet (6.1 m) of the entrances to those places[29]

Olathe, November 16, 2006 banned in all public places, including restaurants, bars, and workplaces. Private clubs and fraternal clubs exempt.

Ottawa, June 1, 2008 scheduled to be banned in restaurants. Bars, fraternal and private clubs exempt. Presented to Ottawa City Commission by Youth in Government in July of 2007.

Overland Park, January 2, 2008, banned in all workplaces, including restaurants and bars, private clubs, and bowling alleys. Exempts outdoor patio areas of restaurants.[30]

Prairie Village, January 2, 2008, banned in all workplaces; exempts bars and restaurants unless all neighboring cities pass bans (not currently met, because Kansas City, Missouri, Mission and Mission Hills do not have bans affecting restaurants and bars in effect).

Roeland Park, May 17, 2006, banned in all workplaces, including bars and restaurants.

Salina, 2002, banned in all restaurants between 5am and 9pm. Ban only applies to restaurants.

Sedgwick, November 20, 2007, rejected ban on smoking in bars and restaurants by unanimous decision of the city council[31]

Scott City, January 2004, rejected ban on smoking in bars and restaurants[32]

Shawnee, January 2, 2008, banned in all workplaces including restaurants and private clubs, but exempting 25% of hotel rooms and any bars which derive less than 33% of their gross annual revenues from food sales.

Westwood, February 1, 2008, banned in the indoor areas of all public workplaces, including restaurants and bars, and within 25 feet (7.6 m) of the entrances to those places.[33]

Wichita, December 17, 2007, rejected ban on smoking in all enclosed workplaces, including bars and restaurants.[34]

Kentucky

No commonwealthwide smoking ban. In 2004, the Kentucky Supreme Court ruled that cities and counties may enact smoking bans which are more stringent than state law.[35]

Ashland, October 1, 2006 Prohibits smoking in all enclosed public places and places of employment, as well as outdoor arenas, venues and outdoor patio areas of restaurants and bars.

Daviess County, January 1, 2006 banned in any public establishment open to children under 18. Exempts private businesses and bars.

Danville, Kentucky, July 28, 2008 banned in all workplaces and within ten feet of the entrance of any workplace, including restaurants, public buildings and bars

Frankfort, July 25, 2006 banned in all businesses, including public buildings, restaurants, and bars.

Georgetown, October 1, 2005 banned in most public buildings. Smoking is still allowed in some hotel rooms.

Letcher County, took effect July 1, 2006 in all public buildings and restaurants. Exempts private clubs, private buildings.

Lexington, April 27, 2004 banned in public buildings.

Louisville, January 11, 2008, banned in all enclosed workplaces, except when an establishment obtains permission from the city otherwise.[36] Previously, a smoking ban which exempted Churchill Downs (site of the Kentucky Derby) was struck down by a state court on Dec 21, 2007, as violating the Kentucky Constitution's prohibition of special legislation.[37]

Madison County, June 12, 2007 banned in all workplaces, restaurants, and bars, including all businesses in the cities of Richmond and Berea. Exempts outdoor patio areas of restaurants and bars (bars are only allowed in the city of Richmond, since the rest of the county is dry).

Paducah, April 1, 2007 banned in all workplaces, bars, and restaurants.

Paintsville, 2006 banned in all workplaces. (Bars are not mentioned in the ordinance, but Paintsville is located in a dry county.)

Louisiana

Statewide partial smoking ban: January 1, 2007, per SB 742, banned in all workplaces, restaurants, and other indoor public venues. Exempts bars whose majority sales involve alcohol, tobacco shops, and casinos. [38]

Mandeville, June 10, 2005 banned in public places, workplaces, virtually all areas of public parks, and restaurants without a liquor license. Exempts bars and any restaurants with a liquor license.

Shreveport, May 10, 2005 banned in public buildings, city parks, public areas, restaurants, and shopping malls and retail stores. Exempts bars and any businesses that sell alcohol.

Terrebonne Parish, January 12, 2006 banned in shopping centers and malls, adult, child-care, and health-care facilities, parish buildings, sports arenas, museums, retail stores, restaurants without a liquor license, and bus stops. Exempts restaurants and bars with liquor licenses.

Maine

Statewide smoking ban: January 1, 2004, banned in bars. Smoking has been banned in restaurants since September 1999. The "Workplace Smoking Act of 1985" prohibits smoking in workplaces which are not open to the public.[39] As of April 10, 2008, smoking is banned in any car with a child under the age of 16.[40]

Maryland

Statewide smoking ban: after Governor Martin O'Malley signed the Clean Indoor Air Act of 2007 into law on May 17, 2007,[41][42], effective February 1, 2008, smoking is banned in all enclosed workplaces, including fraternal clubs, all restaurants, and all bars. Exempt from the law are private homes and residences, no more than 25% of hotel rooms, retail tobacconists, tobacco manufacturers, importers, wholesalers, or distributors, and laboratories researching the health effects of tobacco smoke. The Act allows businesses to apply for waivers to the law, however all waivers will expire on January 1, 2011.[43]

Baltimore - City Council passed ban for bars and restaurants on February 26, 2007. The ban was originally supposed to go into effect on January 1, 2008, but the date was changed to February 1, 2008 to coincide with the new statewide ban.[44]

Charles County - banned in restaurants but not standalone bars since June 2006.[45] Its county seat, La Plata, has since passed an expanded ordinance going beyond the county's ban, extending the ban to town bars, in addition to restaurants.[citation needed]

Howard County - passed smoking ban on June 5, 2006. The ban went into effect on June 1, 2007. Smoking is banned in all restaurants and bars.[46]

Montgomery County, July 1, 2003 - banned in all eating and drinking establishments. Exempts private and fraternal clubs that hold liquor licenses.[47]

Prince George's County, December 23, 2005 - banned in all bars and restaurants. Private clubs are exempt.[citation needed]

Talbot County, April 2004 banned in all bars and restaurants. Exempts fraternal clubs.[citation needed]

Massachusetts

Commonwealthwide smoking ban: July 2004 banned in all workplaces, including restaurants and bars.

Massachusetts' ban exempts private clubs, and cigar bars.

Freetown, Massachusetts, January 1, 2004 banned in all businesses, including private clubs

Michigan

No statewide smoking ban. In 2001, the Michigan Court of Appeals held that Michigan state law preempts local jurisdictions from enacting a complete ban on smoking in restaurants.[48] In so holding, the Court invalidated Marquette's restaurant smoking ban. In 2007, the Michigan House of Representatives passed House Bill 4163, which would enact a statewide smoking ban, exempting cigar bars, casinos, and bingo halls.[49]. The bill then was sent to the Michigan Senate, which passed an amended version on May 8, 2008, omitting the exemptions.[50] The bill now returns to the House for reconsideration of the amended version.

Grand Rapids, November 1, 2006, banned in all enclosed workplaces, excluding bars and restaurants; also banned within 10 feet from a public building.[51]

Wayne County, June 15, 2007, banned in all enclosed indoor workplaces, except restaurants, bars, bingo halls, or "designated smoking rooms" with air-control systems.[52]

Minnesota

Statewide smoking ban: 1 October 2007, smoking is prohibited in all indoor and in-home workplaces including restaurants, bars, public transportation through the Freedom to Breathe Act of 2007 [11]. This ban enhanced the original Minnesota Clean Indoor Air Act of 1975 [12], which banned smoking in workplaces not frequented by the general public. The ban does not prohibit smoking outdoors, regardless of the distance from indoor areas. This ban supersedes all weaker local bans; however, counties and cities are allowed to enforce more stringent rules. Examples follow:

Beltrami County: Smoking is prohibited within 10 feet (3.0 m) of the entrances to restaurants and bars. Effective date January 1, 2005.

Bloomington: Smoking is prohibited within 25 feet (7.6 m) of entrances and in 50% of outdoor eating areas of restaurants. Effective date July 19, 2004.

Carlton County: Smoking is banned on 50% of outdoor patio seating in restaurants and bars. Effective date June 1, 2007

Cloquet: Smoking is prohibited within five feet of the entrances to restaurants and bars. Effective date September 7, 2001.

Golden Valley: Smoking is prohibited within 25 feet (7.6 m) of entrances, exits, and ventilation openings of all areas of restaurants and bars; public parks; and recreational facilities. Effective date March 31, 2005.

McLeod County: Smoking is prohibited within 10 feet (3.0 m) of the entrances to restaurants and bars. Effective date August 1, 2006.

Mississippi

No statewide smoking ban.

Grenada, May, 2008.

Corinth, November 2007 Board of Aldermen adopted a public smoking ban that encompasses city-owned facilities, enclosed public places, employment places and some outdoor areas.[53]

Greenville, banned in all indoor public places, including restaurants and bars

Greenwood, August 23, 2007 banned in all workplaces, restaurants, and bars.

Hattiesburg, January 1, 2007 banned in all indoor public places, including bars, restaurants, and city buildings.

Lucedale, December, 2007, rejected a ban on smoking in all enclosed workplaces[54]

Oxford, banned in all indoor public places, including bars, restaurants, and city buildings. Smoking is also prohibited in certain outdoor areas.

Ridgeland, July 20, 2007 banned in all workplaces, restaurants, and bars.

Starkville, May 20, 2006 banned in all indoor public places, including bars, restaurants, and city buildings. Smoking is also prohibited in certain outdoor areas.

Tupelo, October 2006 banned in all indoor public places, including restaurants and bars.

Missouri

No statewide smoking ban. Only one proposal for a statewide smoking ban ever has been proposed before the Missouri General Assembly (S.B. 1079 in February of 2008), but it had no cosponsors and little support and failed without even receiving hearing[55][56][57].

Most state officers, both Republican and Democrat, including Governor Matt Blunt, believe that the issue should be decided by cities and counties, not by the state.[58] Only 20% of Missourians support a statewide ban on smoking in all public places.[59] As of November, 2007, Missouri has the second-lowest cigarette excise taxes in the United States (behind only South Carolina) at 17 cents per pack,[60][61] and the electorate voted in 2002 and 2006 to keep it that way.[62] In 2007, Forbes named Missouri's largest metropolitan area, St. Louis, America's "best city for smokers." [60] Missouri also has one of the most permissive approaches to alcohol in the United States (see Alcohol laws of Missouri). Missouri law allows bars and restaurants which seat fewer than 50 people, bowling alleys, and billiard parlors to decide their own smoking policies, without limitation.[63]

Arnold, November 1, 2004, banned in all restaurants seating 50 people or more, except in separately-ventilated smoking rooms; does not touch bars or other enclosed places of employment[64]

Ballwin, January 2, 2006, banned in all public places, including workplaces, bars, and restaurants.[65]

Blue Springs, May 1, 2008, banned in all restaurants, public buildings, city-owned buildings and most workplaces; exempts bars, bowling alleys, billiard parlors, and retail tobacco shops.[66]

Chillicothe, January 1, 2008, banned in all workplaces, including bars and restaurants.[67]

Columbia, January 9, 2007, banned in all public places, including bars and restaurants.[68]
Farmington, October, 2007, mayor vetoed a ban on smoking in restaurants:[69] and a ban on smoking in all workplaces was rejected in January of 2008[70]
Jefferson City, December, 2003, mayor vetoed a ban on smoking in restaurants[71]
Independence, March 17, 2007, banned in all workplaces, including bars and restaurants, per referendum in November of 2006,[72] but declared invalid and unenforceable by a state court in December of 2007.[73]
Kansas City, June 7, 2008, due to be banned in all indoor workplaces, except casinos,[74] but halted by a state court on June 4, 2008.[75]
Kirksville, July 1, 2007, banned in all workplaces, including bars and restaurants.[76]
Lake Saint Louis, January 1, 2008, rejected a ban on smoking in enclosed workplaces; instead, required businesses which allow smoking to post exterior signage stating their smoking policy, which either may be "No Smoking Permitted", "Restricted Smoking Area Available", or "Smoking Permitted"; if a business states that a "restricted smoking area is provided," that area must be separately ventilated with no intrusion of smoke into the non-smoking area.[77]
Lee's Summit, December 8, 2006 banned in all workplaces, including bars and restaurants. The original ban, which was passed in August of 2006, exempted restaurants with ventilated smoking areas and bars that had very limited food sales, but, as in Independence, voters chose to close those exemptions in November 2006.[78]
Maryville, June, 2003, banned in restaurants; exempts all bars, exempts restaurants that receive 50% or more of their gross revenues from alcohol.[79]
Nixa, June 8, 2007, banned in all workplaces, including bars and restaurants.[80]
North Kansas City, July 10, 2008, banned in all indoor workplaces, except casinos[81]
Smithville, December 18, 2007, rejected a ban on smoking in all workplaces, including restaurants and bars[82]
Springfield, July, 2003, banned in all workplaces, including most restaurants; exempts bowling alleys, restaurants with a capacity lower than 50, restaurants with alcohol sales exceeding \$200,000 per year, restaurants with more than 50% proceeds from alcohol sales, and bars.[83]
St. Louis County, August, 2006, rejected a ban on smoking in bars, restaurants, and casinos; instead, required businesses which allow smoking to post exterior signage stating their smoking policy.[84]

Montana

Statewide smoking ban: 1 October 2005, banned in all public buildings, including workplaces and restaurants. Bars, casinos, night clubs, and cocktail lounges that get 60% or more of their income from alcohol or gambling are exempt from the ban until October 1, 2009. In 2004, the Montana Supreme Court ruled that cities and counties may enact smoking bans which are more stringent than state law.[85]

Nebraska

Statewide smoking ban: in February, 2008, the Nebraska Legislature passed a statewide smoking ban that will go into effect on June 1, 2009. The ban is modeled after Lincoln's ordinance.[86]
Lincoln, January 1, 2005, banned in public buildings, except outdoor dining areas and designated hotel rooms.
Omaha, October 1, 2006, banned in all workplaces. A five-year sunset clause (until May 2011) exempts bars that do not serve food, keno parlors, and tobacco-only shops.; a Nebraska Supreme Court ruling invalidated these exemptions on May 30, 2008.[87]
Grand Island, June 1, 2008, banned in enclosed public buildings.[88]

Nevada

Statewide partial smoking ban: on November 7, 2006 Nevada voters enacted the Nevada Clean Indoor Air Act[13] (Question 5), codified at NRS 202.2483 et seq. Question 5 received over 54 percent of the vote and became law on December 8, 2006. The Act states that smoking tobacco in any form is prohibited within indoor places of employment including: public and private school buildings and on public and private school grounds; child care facilities with five or more children; all areas of grocery stores, convenience stores and drug stores; all indoor areas within restaurants, including those in casinos or gaming establishments; bars, taverns and saloons that serve food; shopping malls and retail establishments; video arcades; government buildings and public places; and movie theaters. The Act states that smoking is permitted in: areas within casinos where loitering by minors is already prohibited by state law per NRS 463.350; stand-alone bars, taverns and saloons that do not serve food; strip clubs and brothels; retail tobacco stores; and private residences, including private residences that may serve as an office workplace, except if used as a child care, adult day care or health care facility.

New Hampshire

Statewide partial smoking ban: Governor John Lynch signed a bill banning smoking in restaurants, bars, and in cigar bars, on June 19, 2007. The law came into effect September 17, 2007. It exempts bars located within private clubs; it also exempts halls owned by social or religious organizations.

New Jersey

Statewide smoking ban: April 15, 2006, banned in bars, restaurants, bowling alleys, etc. Exceptions in NJ: cigar lounges, tobacco retailers, and on the gaming floors in Atlantic City casinos (a compromised smoking ban on casino floors went into effect on April 15, 2007). This ban was signed into law on January 15, 2006. New Jersey's smoking ban thus connected a stretch of coastal Northeast states with bans against smoking in bars and restaurants, spanning from Delaware to Massachusetts.

Atlantic City, April 15, 2007, Atlantic City took advantage of a loophole that allows local jurisdictions to enact a tougher smoking ban than the state. A compromise smoking ban proposal was passed, instead of a total ban originally proposed for casino floors, prohibiting smoking in 75% of gaming floors, and requiring any gaming areas allowing smoking to be no greater than 25% of the overall gaming floor. It also requires any gaming areas allowing smoking to be physically separated and ventilated from non-smoking gaming areas, and for permanent separation of such areas to be in place by the end of 2007.

New Mexico

Statewide smoking ban: the Dee Johnson Clean Indoor Air Act[14], effective June 15, 2007, prohibits smoking in virtually all indoor workplaces and indoor public places, as well as the entrances to those buildings. The law exempts casinos, bingo halls, non-profit private clubs, cigar bars, private residences not used for child care or adult health care, tobacco stores and manufacturers, limousines for private hire, up to 25% of hotel rooms, enclosed areas in bars and restaurants used for private functions and sole-proprietor businesses with fewer than two employees. The law also prohibits smoking near the entrances, windows and ventilation systems. Employers will be required to adopt, implement and post a written smoking policy. Penalties are \$100 for a first violation, \$200 for a second violation within 12 months and \$500 for the third and subsequent violations.

New York

Statewide smoking ban: July, 2003, banned in all workplaces, bars, restaurants, bowling alleys, pool halls, and company cars, except Indian casinos and cigar bars.

New York City, [March 30,2003] banned smoking in all restaurants, food-service establishments, and bars.

North Carolina

No statewide smoking ban. A state law passed in 1993 expressly prohibits any smoking restrictions to be passed by any form of local government (counties, cities, towns, etc.).[89] The law is written with a caveat which allows local governments to enact smoking restrictions within: buildings owned/leased/occupied by local government, public meetings, the indoor space in an auditorium/arena/coliseum, libraries or museums open to the public, and any place on a public transportation vehicle owned or leased by local government and used by the public. The North Carolina House of Representatives rejected a statewide smoking ban in May of 2007.[90]

North Dakota

Statewide partial smoking ban: the North Dakota Legislative Assembly enacted a statewide ban on smoking in public places and places of employment, which exempts both stand-alone bars and restaurants which have bars with separate, enclosed smoking areas, effective August 1, 2005.[91] The Legislative Assembly rejected ending these exemptions in February of 2007.[92]

Ohio

Statewide smoking ban: on November 7, 2006 Ohio voters approved Chapter 3794 of the Ohio Revised Code (AKA Smoke Free Ohio and Issue 5), which bans smoking in all restaurants, bars, and workplaces with very few exceptions. As this ban is a state law, it superseded any local or county smoking ban previously in force when it came into effect on December 7, 2006. The law gave the power of enforcement to the Ohio Department of Health. On May 3, 2007, the Ohio Department of Health began enforcement of the law.[15] A business may be fined up to \$2,500 and individuals \$100 if they violate the ban. All places of employment or public places must prohibit all smoking indoors and post legible no smoking signs that contain a number for reporting violations at all entrances. Also all public places must remove all ashtrays and other smoking receptacles.

On April 16, 2008, legislation was approved by voters prohibiting smoking in parks, fields, and parking lots in the city of North Royalton, although city sidewalks were exempt. The mayor may designate smoking areas at his discretion.

Oklahoma

Statewide partial smoking ban. Oklahoma state law expressly preempts any local jurisdiction from enacting a smoking ban.[93]. As a result, the only smoking regulations are at the state level. Smoking is illegal inside and within 25 ft (7.6 m) of all State-owned buildings, including courthouses, municipal buildings and public education facilities. Smoking is banned in any indoor workplace - including restaurants and hotels - unless a separate ventilation system under negative pressure is installed for ventilating the smoking area. Some exceptions are built into the statute. Bars and private clubs are one of the such exemptions in Oklahoma's ban.[94]

Oregon

Statewide smoking ban: on June 26, 2007, Gov. Kulongoski signed the Clean Air Act (SB571), which will ban smoking in all enclosed public places, including bars, taverns, and restaurants. Exempt from the ban are tobacconists, cigar bars, and up to 25% of hotel rooms. The law takes effect on January 1, 2009.[95] In 2000, the Oregon Court of Appeals ruled that cities and counties may enact smoking bans which are more stringent than state law.[96]

Corvallis, August 1997 banned in all businesses and public buildings, including within 3 meters (10 ft) of entrances.

Eugene, July 2001 banned in all public areas, including bars, restaurants, and venues. [16]

Multnomah County, July 1, 2000 banned in workplaces, except bars, truck stops, and private residences. [17]

Philomath, banned in all workplaces, restaurants, and bars.

Pennsylvania

Commonwealthwide partial smoking ban. On June 13, 2008, Governor Ed Rendell signed into law a bill passed by the Pennsylvania General Assembly which bans smoking in all enclosed restaurants and workplaces on September 11, 2008, ninety days after being signed. The new law exempts taverns and bars where food accounts for less than 20% of sales, established private clubs where the officers vote to allow it, and on 25% of gambling floor space at casinos; the bill passed also would not allow for more stringent regulation by county and municipal governments (The cities of Philadelphia and Pittsburgh are exempt from this restriction.).[97][98][99]

Philadelphia, January 8, 2007, a ban on smoking in almost all workplaces, including in all restaurants and any bars which do not receive at least 90% of their gross revenues from alcohol sales.[100] This is the only smoking ban currently in effect in Pennsylvania.

Puerto Rico

Commonwealthwide smoking ban: banned in almost every indoor location as of March 2, 2007[18]

Rhode Island

Statewide smoking ban: 1 March 2005 banned in almost all indoor workplaces, except some gambling facilities.

State Beaches:

South Carolina

No statewide smoking ban. On March 31, 2008, the South Carolina Supreme Court ruled that cities, counties, and towns may enact smoking bans which are more stringent than state law.[101]

Beaufort County, banned in all workplaces, including restaurants and bars, within unincorporated areas of Beaufort County. January 10, 2007. [19]

Bluffton, banned in all workplaces, including restaurants and bars. January 10, 2007. [20]

Charleston, [July 23, 2007,] prohibited in all restaurants, bars, and workplaces. Cigar bars, theatrical performances involving smoking, and 25% of designated hotel and motel smoking rooms are exempt.

Clemson, July 1, 2008, banned in all enclosed workplaces, including bars and restaurants[102]

Columbia, July 1, 2008, banned in all workplaces, except for bars where 85% of revenue comes from the sale of alcohol.[103]

Greenville, January 1, 2007, banned in all workplaces, restaurants, and bars.

Hilton Head Island, Indoor smoking ban in restaurants, bars, and public places will take effect May 1, 2007.[21]

Mount Pleasant, September 1, 2007, banned in all restaurants, bars, workplaces, and private clubs.

North Charleston, May 14, 2008, rejected a ban on smoking in enclosed workplaces.[104]

Sullivan's Island, effective July 20, 2006, a ban on smoking in workplaces, including restaurants and bars. Upheld by the Charleston County Court of Common Pleas on December 20, 2006. [22]

South Dakota

Statewide partial smoking ban: 2002, banned in all office workplaces, and restaurants that don't have a liquor license. Smoking also banned in all government buildings, per an executive order by Governor Mike Rounds in 2006. Gambling and casino facilities, bars, and any restaurant that has a liquor license are exempt from the ban. Sioux Falls 2003 closed the loophole allowing restaurants to obtain a liquor license, without intention to use it, to keep their smoking sections of their restaurants. Restaurants that have liquor licenses must have liquor on their menu and available to customers.

Tennessee

Statewide partial smoking ban: State Senate passed a bill backed by Gov. Phil Bredesen banning smoking in restaurants and most public places on May 24, 2007. The House passed the Non-Smoker Protection Act on May 31, 2007 with more exceptions than the Senate version. Notable exemptions to the bill include bars with access to persons 21 and older at all times, private clubs, businesses with three or fewer employees, and establishments with at least one completely open garage type door on one or more sides. The bill was signed on June 11, 2007, goes into effect on July 1, 2007, and will be enforced beginning on October 1, 2007.

Texas

No statewide smoking ban.

Amarillo, May, 2008, ban rejected by 238 votes

Abilene, January 3, 2007 voter-approved smoking ban took effect, banning smoking in all restaurants, bars, and workplaces.

Alvin, 2002, banned in restaurants. Bars and taverns exempt.

Arlington, January 1, 2007. Ban includes all restaurants and clubs as well as outdoor areas within 50 feet (15 m) of entrance or exit of establishment.

Austin, September 1, 2005 ban extended to all bars and clubs. Smoking is still allowed in bingo halls, fraternities, hotel rooms, and nursing homes. The ban was approved by 52% of voters. Struck down as unconstitutionally vague by the United States District Court for the Western District of Texas in 2006,[105] but reinstated on appeal by the United States Court of Appeals for the Fifth Circuit in March of 2008.[106]

Beaumont, ban takes effect August 1, 2006 in all enclosed public places, including workplaces, restaurants, and bars.

Benbrook, effective November 1, 2006. Ban includes all public buildings and within 25 feet (7.6 m) of entrance or exit of same. For the purposes of this ordinance, 'public building' includes home offices, regardless of access to public, as well as storage buildings, detached garages, or any other building on residential site or other place in the city. Ban includes allowing a person to smoke.

Boerne, effective March 27, 2007. Banned in all public places within the city limits, except bars.

Brenham, July 20, 2007, banned in all workplaces, except bars and manufacturing facilities.

Carrollton, banned in restaurants.

Copperas Cove, May 18, 2004, banned in all enclosed workplaces except bingo halls (if enclosed non-smoking area is provided), fraternal organizations, hotel/motel rooms designated as a smoking room, and semi-private or private nursing homes

Dallas, March 1, 2003 banned in all restaurants, bowling alleys, and city-owned facilities. Bars are exempt and hotels can offer smoking rooms. Private clubs are still subject to these regulations.

El Paso, January 2, 2002 banned in all workplaces, bingo halls, restaurants, bars, and public areas and waiting rooms of doctor's facilities.

Galveston, February, 2006, rejected ban on smoking in all enclosed workplaces[107]

Harlingen, April 2, 2005 banned in all public places except bars, nightclubs, and at Valley Race Park, a local dog track.

Houston, September 5, 2005 banned in restaurants, but excluded bar areas inside restaurants and bars/taverns. Ban extended to bars and restaurant bar areas in September 2007.

Laredo, October 2006 banned in all public places, workplaces, restaurants, and bars. Was amended earlier this year to exempt establishments that prohibit minors under 21 from entering.

Lubbock, July 22, 2004 banned in all public places, except for any smoking areas in restaurants or bars that are completely walled off from the rest of the building, and have a separate ventilation system. Bingo halls and designated hotel smoking rooms exempt.

McAllen, October 23, 2007 banned in all places, except private clubs, tobacco shops, and bars that get 70% or greater sales from alcoholic beverages.

New Braunfels, banned in most indoor public places, including restaurants. Private clubs and stand-alone bars exempt.

Odessa, banned in restaurants, except for any smoking areas in restaurants that are completely walled off from the rest of the building, and have a separate ventilation system.

Pearland, November 30, 2007 banned in enclosed public places, including bars, businesses, clubs, employee lounges, entertainment venues, offices, restaurants, retail stores, workplaces, seating areas of outdoor arenas and stadiums, city-owned parks and playgrounds, and within 25 feet (7.6 m) of entrances, operable windows and ventilation systems.

Plano, banned in restaurants. Was amended earlier this year, and expanded on June 1, 2007 to cover all places, including restaurants and bars.

Robinson, banned in all public places. Exempts bars.

Rollingwood, banned in restaurants and bars.

Round Rock, banned in workplaces and restaurants. Bars are exempt.

San Antonio, 2003 previous smoking restrictions ordinance was updated and strengthened - now banned in all "public places", including restaurants, "except for enclosed bar areas, enclosed dining areas and outdoor seating areas designated as smoking" - There are certain exclusions (many of these also require that no one younger than 18 be admitted into the smoking areas): billiard halls without food; bingo facilities without food; comedy clubs; separately enclosed bar areas within restaurants; separately enclosed areas and outdoor areas of restaurants (designated non-smoking outdoor areas must be provided); designated smoking rooms in hotels (not more than 1/4 of rooms may be so designated); outdoor bus stops; private residences not used for certain business purposes (child/adult day care or health care facility); certain private nursing home rooms; restaurants, hotel and motel conference or meeting rooms, and public and private assembly rooms, when these places are being used for private functions (with some restrictions); retail tobacco stores (with some restrictions); Stand-alone bars, where persons under the age of eighteen (18) years are not admitted; and tobacco product manufacturing facilities. (Ord. No. 97895, § 1, 8-7-03)

Schertz, 2001 banned in restaurants, except if restaurant bar sales account for greater than 25% of a restaurant's business. Bars exempt.

Southlake, June 1, 2007, banned in all workplaces, restaurants, bars, and outdoor patio areas. The ordinance, as written, also bans smoking in all motel and hotel rooms.

Sugar Land, January 1, 2008 banned in all businesses, except bars.

West Lake Hills, smoking banned in public places.

Woodway, banned in restaurants, bars, and workplaces.

Utah

Statewide smoking ban: in 2006 Utah became the 12th state in the country to enact a law banning smoking in bars. On March 1, 2006, the Utah State Legislature passed amendments to the 1995 Utah Indoor Clean Air Act that will fully ban smoking in bars and taverns by January 1, 2009. The revised smoking ban originally banned smoking in private clubs as of January 1, 2007, but a bill passed earlier this year that will now start the ban for private clubs in Utah 2 years later, and on the same day as when bars go nonsmoking. The new amendments will also restrict smoking from day cares; private schools; social, fraternal and religious organizations; and even workplace smoking areas. The 1995 act already banned smoking in restaurants.

Green River, December 4, 2007, banned in all enclosed workplaces, but repealed for bars and restaurants effective December 27, 2007.[108]

Vermont

Statewide smoking ban: September 1, 2005 Vermont has three laws governing smoking in workplaces and public places. The "Smoking in the Workplace" law prohibits smoking in all areas of workplaces except separately-ventilated smoking areas that non-smoking employees are not required to visit, areas commonly open to the public

and any portion of a structure which also serves as the employee's or employer's personal residence. The "Smoking on School Grounds" law prohibits smoking on public school grounds, and prohibits students from smoking at all public school sponsored events. The "Smoking in Public Places" law prohibits smoking in all public places including restaurants and bars, exempting only areas of owner-operated businesses which are not open to employees and not commonly open to the public.[23]

Virginia

No commonwealthwide smoking ban. The Virginia General Assembly has rejected a statewide ban on smoking in bars and restaurants twice, first in February of 2006,[109] and then on April 4, 2007, against the wishes of Governor Tim Kaine.[110]

Norfolk, March 25, 2008, repealed a ban on smoking in restaurants, which was passed in October of 2007 but had not yet gone into effect.[111]

Washington

Statewide smoking ban: December 8, 2005 banned in all workplaces, including bars, restaurants, bowling alleys, non-tribal casinos, and bus stops. Also bans smoking while standing within 25 feet (8m) of a door or window that can open or a ventilation intake, and even cigar bars aren't allowed to have smoking. Currently it is the strictest smoking ban by any state in the country. Studies have shown very high levels of compliance with the law.

West Virginia

No statewide smoking ban. In 2008, a proposed statewide smoking ban failed in the West Virginia Legislature.[112] In 2003, the Supreme Court of Appeals of West Virginia ruled that county health boards may enact smoking bans which are more stringent than state law, except in bingo halls and retirement homes.[113] In response, county health boards in all 55 of West Virginia's counties have enacted smoking bans to varying degrees.[112] As of 2008, 18 counties have banned smoking in all enclosed workplaces, including bars and restaurants, except bingo halls and retirement homes.[112]

Kanawha County, July 1, 2007, banned in all enclosed workplaces, including bars and restaurants, except bingo halls and retirement homes.[114]

Wisconsin

No statewide smoking ban. On March 13, 2008, a proposed statewide smoking ban in Wisconsin failed in the Wisconsin State Assembly.[115]

Appleton, July 1, 2005 banned in all workplaces, including bars and restaurants.

Ashland, May 1, 2000 banned in restaurants. Exempts bars, and any restaurants with physically separated and ventilated smoking rooms.

Beloit, July 1, 2007 banned in all workplaces, and restaurants. Exempts gaming facilities, and taverns with 50% or greater alcohol sales.

Eau Claire, March 25, 2008: city-wide smoking ban passed.[24]

Fitchburg, April 1, 2008, banned in all restaurants. Bars and bowling alleys will be phased into the smoking ban, but were given a 3 year sunset clause from being covered by the ban (until January 1, 2011). Cigar bars, and designated motel smoking rooms are permanently exempt.

Janesville, 2002, banned in restaurants, except for physically separated and ventilated areas within a restaurant. Also exempts restaurants that have less than 50% food sales.

Kenosha, banned in all restaurants in 2000. Exemption is restaurants with completely separate rooms with a completely closed room separating smoking from non smoking.

Madison, June 21, 2005 banned in all workplaces, including bars, and restaurants. Cigar bars were originally covered in the ban, but are now exempt. Also exempts private clubs.

Menominee, September 12, 2006 banned in all public places, except Native American ceremonies, bars, and restaurants that make 50% or more of their sales from alcohol.

Oshkosh, May 2004, voters approved referendum banning smoking in restaurants, except in physically separate smoking rooms in restaurants, and in bars or restaurants defined as making 70% or greater sales from alcohol.

Shorewood Hills, 1995 banned in all restaurants, bars, and workplaces.

Wauwatosa, July 1, 2006, banned in all restaurants, except in restaurants that have a physically separate room designated for smoking, or a bar area that is fully enclosed and separate from a dining area. Also exempts any restaurants that derives 51% or greater sales from alcohol.

Wyoming

No statewide smoking ban.

Cheyenne, August 15, 2006 banned in all public places, restaurants, bars, and private clubs.

Evanston, September 2007, banned in all restaurants, bars, and workplaces.

Green River, December 2007, banned in all businesses, except bars and private clubs.

Laramie, April 6, 2005 Smoking outlawed in all public places, including restaurants, bars and private clubs.

Rock Springs, December 2007, banned in all places, except bars and private clubs.

Other bans

Some public transit agencies have chosen to take the step of banning smoking in any public transit facilities, and went beyond just banning smoking on public transit vehicles or trains. Portland, Oregon's mass transit agency, Tri-Met, decided to prohibit smoking within all bus shelters, transit centers, and most MAX train stations, as of September 2005. This rule is enforceable by a fine, exclusion, or arrest.

Similarly, Illinois law prohibits anyone from smoking on public school property (indoors and outdoors). In addition, smoking is prohibited in all college and university dormitories, as of 2006. Other states have also chosen to pass bans on smoking in all college dormitories, such as New Jersey, and Wisconsin, though these latter 2 bans only apply to public university dormitories.

Several states ban smoking in all government buildings, such as Kentucky, Tennessee, South Dakota, Virginia, and Mississippi.

In addition, a 1995 Maryland law bans smoking in all office workplaces.

The city of Bangor, Maine passed a controversial law in late 2006, banning smoking in cars with children under the age of 18. There is no fine, but police may pull over a 'suspected smoker,' and warn them. [25] In addition, Arkansas, Louisiana, and California have also banned smoking in cars, when children are present.

In 1997, pursuant to Executive Order 13058[116] signed by then-President Bill Clinton on August 9, 1997 smoking was prohibited in all interior spaces owned, rented or leased by the executive branch of the Federal Government and in any outdoor areas under executive branch control in front of air intake ducts.

Other restrictions

Many California communities have established smoke-free registries for private residential buildings, especially apartments. The policies may range from complexes where smoking is entirely prohibited (whether inside private dwellings or outside), or where certain sections of dwellings may be designated as smoking dwellings. While still a relatively new phenomenon, many California cities and communities such as Los Angeles have worked with the American Lung Association, which has been active in promoting anti-smoking policies in private residential buildings. Not surprisingly, such measures are somewhat controversial. While pro-smokers' rights groups have been vocal against such policies, most California cities allow landlords to place anti-smoking regulations at will because anti-smoking rules are in a context of landowners' private property. Also, anti-discrimination laws do not cover smokers, as smokers are not a protected class. According to the Los Angeles Daily News 82% of Californian apartment-dwellers favor smoking restrictions in their buildings.

In addition, many hospitals have enacted restrictive smoking bans throughout all outdoor areas of their campus in recent years, or enacted bans requiring smokers to stand as much as 50 feet (15 m) away from buildings, causing much debate, and even condemnation from some non-smokers as being overzealous. An example that illustrates this controversy is a recent smoking ban enacted at the University of Missouri Hospital and Clinics in Columbia, MO. The hospital recently banned smoking as of September 2006 anywhere in or around the hospital, including in employee and patient vehicles - considered to be dangerous by some, since this forces some disabled to possibly have to cross a busy street to smoke while at the VA Hospital. Their official policy currently is to distribute flyers to patients saying that smoking is banned and detrimental to health, and take no further action. Some employees though, especially nurses and other staff, have reportedly done more than this, and fear it could lead to potential lawsuits, especially if patients are injured crossing the street to take a smoking break. In addition, the staff there is required to tell patients that they must cross the street to smoke (and one nurse even reportedly assisted a patient across the street while holding their IV bag). Some people have suspected that actions like this may put nurses and staff at risk for lawsuits

from patients, since the university's official policy is to do nothing more after informing patient's that the facility is non-smoking. <http://www.muhealth.org/~center/pgsmoking.shtml> <http://www.townoflaplata.com>

List of smoking bans around the World

Argentina

A 2006 smoking ban in Buenos Aires city prohibits smoking in public areas including bars and restaurants. Similar bans in other Argentine cities require bigger establishments to provide a separate, contained area for smoking customers. The rule is not nationwide.

Armenia

A law went into effect in March 2005 banning smoking in hospitals, cultural and educational institutions and on public transportation. March 1, 2006 new rules came into effect requiring all public and private institutions, including bars and restaurants, to allow smoking only in special secluded areas. Absence of any legal sanctions against those who violate the smoking laws have made them completely ineffectual.[1]

Australia

Main article: *List of smoking bans in Australia*

In Australia smoking bans are determined on a state-by-state basis. In chronological order by state:

South Australia: Smoking prohibited in all indoor dining areas since January 1999[2]. Total enclosed public place smoking ban in force since November 2007

Western Australia: Incremental restrictions introduced from January 2005 with a total ban on smoking in all enclosed public spaces taking effect from July 2006[3]

Tasmania: Total indoor smoking ban in force since January 2006[citation needed]. From January 2008 the ban was extended to include smoking in cars with passengers under the age of 18[4]

Queensland: Comprehensive ban in effect since July 2006. Smoking is prohibited in all pubs, clubs, restaurants and workplaces, commercial outdoor eating and drinking areas, outdoor public places, and within 4 meters of non-residential building entrances[citation needed]

Australian Capital Territory: A ban on smoking in enclosed public places has been in effect since December 2006[citation needed]

Victoria: : A ban on smoking in enclosed public places has been in effect since July 2007[citation needed]

New South Wales: A ban on smoking in all enclosed areas of restaurants, licensed clubs and pubs came into force in July 2007[citation needed]

Northern Territory: At May 2008, this is currently the only state in Australia to have no smoking ban in force.

Bangladesh

Smoking restricted in pubs, cafes, offices and other public places since March 2005.

Belgium

2005: Companies should have implemented smoking plans to discourage smoking.

January 2006: Smoking prohibited in the work area.

January 2007: Smoking banned in restaurants and bars, except in the ones that serve "light meals" (e.g. cold meals, pizzas and warm meals that are served with bread instead of french fries) and have less of 30% of their sales from food servings. Small bars are also not included in the ban. Most large bars, such as concert venues, do little to enforce the ban.

September 2008: Smoking no longer allowed in schools.

Bhutan

On 17th December, 2004, a national ban on the sale of tobacco products went into effect. Smoking in all public places in Bhutan became illegal on 22nd February, 2005. It thus became the first nation in the world to outlaw this practice outright.

Bosnia and Herzegovina

The Federation of Bosnia and Herzegovina within the nation has banned smoking in public buildings since 1st September, 2007.

Brazil

In Brazil, smoking is forbidden in all enclosed public spaces, such as restaurants, shopping malls and libraries, except for specifically-designated smoking areas. [5] This prohibition is not enforced, though. [6] Tobacco advertising is restricted to posters in shops. [7]

Canada

Smoking in indoor workplaces and public places is banned in all territories, provinces and in federally regulated buildings. However, some jurisdictions allow specific exemptions to the smoking ban.

Parliament has amended the current ban on smoking in the federal government and federally regulated businesses. As a result of the amendment, smoking rooms will be disallowed. This change will notably affect places such as airports.[citation needed]

By province (East to West):

Newfoundland and Labrador: smoking has been banned in all public places, including bars and bingo halls, since 2005 under the province's Smoke-Free Environment Act. [8]

Prince Edward Island has banned smoking in public places and workplaces since 2003. Ventilated smoking rooms are allowed, however, but food cannot be served in them. [9]

Nova Scotia: since 1 December 2006, smoking is banned in public places, with the exception of special rooms in nursing homes and care facilities. Tobacco products cannot be displayed prominently in stores. [10] As of April 1, 2008, smoking in a car with passengers under 19 inside will be illegal in Nova Scotia.[11]

New Brunswick has banned smoking in all public areas since October 2004 and does not allow specially ventilated rooms.

Quebec will eliminate designated smoking rooms and retail tobacco displays by May 31, 2008. There has been a comprehensive ban on smoking in public places, including bars and restaurants, since 2006.[12]

Ontario will ban retail displays of tobacco in 2008. Since 2006, all workspaces and enclosed spaces open to the public ban smoking.[13].

Manitoba's Non-Smoker's Health Protection Act has banned all smoking in public spaces since October 2004. Non-smoking areas, or specially ventilated rooms, are not allowed in bars and restaurants. [14]

Saskatchewan's reinstated 'shower curtain law' (2005) requires shop owners to keep tobacco sales out of sight. There are fines of up to \$10 000 for violation of the Tobacco Control Act which bans smoking in all public areas, indoor and outdoor, including clubs for veterans.[15]

Alberta has had a public smoking ban since 1 January 2008. [16]. The City of Calgary has legislated that bars and restaurants must be smoke free (since 2007); in the city of Edmonton there has been a smoking ban since 2005 [17]

British Columbia's smoking ban, passed in March 2007, bans smoking in all public spaces such as restaurants, pubs and private clubs, offices, malls, conference centres, sports arenas, community halls, government buildings and schools. [18]

By territory (East to West):

Nunavut has banned smoking in public spaces since May 1, 2004, including bars. [19]

The Northwest Territories banned smoking as of May 1, 2004, in all public places and workplaces, including restaurants, bars, bingo and bowling facilities, and casinos. [20]

The Yukon implemented a smoking ban on May 15, 2008. It was the last of the provinces and territories to implement a ban.

Chile

Chile bans smoking in schools, hospitals, government offices, shopping centres, supermarkets, pharmacies, airports, buses, subway networks and other indoor public places. Smoking in universities indoors is banned, however, smoking is allowed outdoors. Restaurants, with large eateries (over 100 m²) must have fully partitioned nonsmoking sections. Smaller restaurants can choose between being smoke free or being for smokers. The same with cafes and pubs. Clubs, despite their size, are able to choose between being smoke free or being for smokers, however, in practice all clubs are "for smokers".[21]

China

Guangzhou and Jiangmen has banned smoking in public places, include restaurants, entertainment outlets, schools, supermarkets, and governmental offices on a trial run in 2007. However this is rarely policed. [22] Beijing will implement a smoking ban for the Olympics.

 Croatia

The Croatian Government plans to ban smoking in all public closed places (therefore including restaurants and bars) by early 2009.[23]

 Cuba

Cuba has banned smoking in most work places, cigarette machines removed and it has been illegal to sell tobacco products close to schools since February 2005.[24]

 Czech Republic

Currently, there is a law in force that bans smoking in all public places such as institutions, hospitals, bus stops and other public service stops, but not in restaurants, bars and clubs.

 Denmark


As of 15th August, 2007, [25]smoking in hospitality facilities, restaurants, bars, clubs, public transport, and all private and public workplaces is banned. Exemptions to the law are bars with a floor space less than 40 m² and offices only used by a single employee. Separate smoking rooms are allowed in hospitality facilities as long as no food or beverage is served there. The law has caused much controversy and is as of November 2007 not fully enforced. The law is set for revision in 2009.[26]

 Estonia

Smoking has been banned within indoor public areas and workplaces since 4 June 2005, except in restaurants. Later a ban on smoking in bars, restaurants, coffee shops and nightclubs started on 5 June 2007 (however still allowed in isolated smoking rooms).

 Finland

Smoking has been banned in indoor public areas and workplaces from 1st March, 1995, except in specially designated smoking rooms; restaurants were included in 2007. Legislation aimed towards voluntary prevention of secondary smoking was enacted, but it was not successful. Few establishments installed ventilation systems capable of eliminating secondhand smoke. Dividing a restaurant into a smoking and non-smoking section was also an ineffective measure. Thus, smoking has been banned in all indoor public and workplaces, including bars, cafes, clubs and restaurants from 1st June, 2007, except in those places which have been permitted a transition period of up to two years. Smoking in bars and trains is still allowed in enclosed smoking booths, where you can't serve or take any food or drink. Many smaller bars have not been able to build such smoking booths and patrons have to smoke outside. The bans are respected by the general population.

 France

France, on 1 February 2007, tightened the existing ban on smoking in public places found in the 1991 Évin law,[27] which contains a variety of measures against alcoholism and tobacco consumption. It is named after Claude Évin, the minister who pushed for it. The law leaves certain important criteria on what is allowed or not with respect to smoking sections to executive-issued regulations, and it is those regulations that were altered in 2007.

Smoking is now banned in all public places (stations, museums, etc.); an exception exists for special smoking rooms fulfilling strict conditions, see below. However, a special exemption was made for cafés and restaurants, clubs, casinos, bars, etc. until 1 January 2008.[28] although the French government has said it will give a day of reflection on New Year's Day.[29] Opinion polls suggest 70% of people support the ban.[30]

Under the new regulations, smoking rooms are allowed, but are subjected to very strict conditions: they may occupy at most 20% of the total floor space of the establishment and their size may not be more than 35 m²; they need to be equipped with separate ventilation which replaces the full volume of air ten times per hour; the air pressure of the smoking room must constantly be lower than the pressure in the contiguous rooms; they must have doors that close automatically; no service can be provided in the smoking rooms; and cleaning and maintenance personnel may enter the room only one hour after it was last used for smoking[citation needed].

Previously, under the former implementation rules of the 1991 Évin law, restaurants, cafés etc. just had to provide smoking and non-smoking sections, which in practice were often not well separated. In larger establishments, smoking and non-smoking sections could be separate rooms, but often they were just areas within the same room. A legal challenge against the new regulations was filed before the Conseil d'État in 2007, but was rejected.[31]

 Germany

In August 2007, the states of Baden-Württemberg and Lower Saxony banned smoking in restaurants, bars and clubs. In October 2007 Hesse also passed a law with similar regulations. Most of the other German states followed in January 2008, though many of these bans still allow smoking in separate ventilated rooms. Smoking is banned on public transport and in federal buildings, including the parliament.



Greece

According to a law passed in 2002, smoking is not allowed in all public and private workplaces, all areas related to health care and education and in public transport vehicles. The legislation is not very efficient and a new, stricter law is under consideration.



Guernsey

Smoking was banned in all public places in the British Crown dependency of Guernsey, including workplaces, bars, clubs and restaurants, on 2nd July, 2006, under the "Smoking (Prohibition in Public Places and Workplaces) (Guernsey) Law 2005". Anyone who breaks the law, upon conviction, could be fined up to the maximum of £1000 (~€1500, ~\$2000). Smoking is allowed anywhere outside and in whatever company.[32] The neighbouring Channel Island of Alderney agreed in March 2007 to implement the ban, but no date has been set. Smoking in indoor public places remains legal on just one of the Channel Islands, Sark.



Hong Kong

Smoking in public places was banned by the Hong Kong Government commencing on 1st January, 2007 under The Smoking (Public Health) Ordinance (Cap. 371) which was first enacted in 1982 with several amendments subsequently. The ban was placed in most public places including restaurants, Internet cafés, public lavatories, beaches and public parks. Bars, karaoke parlors, and other adult-only businesses are required to go smoke-free by 2009. Smoking bans in lifts, public transport, cinemas, concert halls, airport terminal were introduced between 1982 and 1997. The ban in shopping centres, department stores, supermarkets, banks, game arcades has been in place since July 1998.

Any person who smokes or carries a lighted tobacco product in a statutory no smoking area commits an offence and is liable on summary conviction to a maximum fine of HK\$5,000.



Hungary

In 2009, smoking is going to be banned in most public places including restaurants, bars, etc.[33]



Iceland

Smoking and the use of other tobacco products is banned in most public spaces in Iceland. This includes all enclosed spaces in common ownership, all public land intended for use by children, all public transport and all services; including restaurants, bars, clubs and cafés.[34]



India

A ban on workplace, restaurants, hotels smoking nationwide will come into effect in late 2007. [35]In 2007, Chandigarh became the first city in India to become 'smoke-free'.



Indonesia

In Jakarta's restaurants, hotels, schools, office buildings, airports and public transport, smoking is banned. Restaurants who want to allow smoking have to provide a separate smoking space starting 4th February, 2006. [36] Like many Asian nations, it remains to be seen whether it can be enforced or not. Building separate facilities for smokers has only taken place in half of establishments by June 2007.[37]



Republic of Ireland

The Republic of Ireland became the first country in the world to institute an outright ban on smoking in workplaces on 29 March 2004. From that date onwards, under the Public Health (Tobacco) Acts, it has been illegal to smoke in all enclosed workplaces. The ban is strictly enforced. The ban includes bars, restaurants, clubs, offices, public buildings, company cars, trucks, taxis and vans - and within a three metre radius to the entrances of these locations. The maximum on-the-spot fine is €3,000, while a prison sentence can also be given later. The law does not apply to prisons, nursing homes, psychiatric wards and some hotel rooms. Stadia like Croke Park also ban smoking anywhere in the grounds.

Before the total ban, smoking was already outlawed in public buildings, hospitals, schools, restaurant kitchens, and on aircraft and trains. [38]

Premises must display a sign to inform patrons of the ban (in Irish or English), and the contact person for any complaints. A workplace can be fined €3,000 per person found smoking. Smoking rooms are not allowed. Any

shelter's surface must have at least 50 per cent uncovered. There is also a Compliance Line set up by the Office of Tobacco Control, that people can call to report people smoking in a workplace or retail outlets selling tobacco to under-18s.

In 2008, the country will ban tobacco advertising in shops (advertising is already banned in print, on radio and television and on billboards) and ensure that cigarettes and other tobacco products remain out of sight in shops - they are already "behind the counter" products.

Isle of Man

The Isle of Man was the last part of the British Isles to introduce a smoking ban, with a similar ban to the one introduced in England. The ban came into effect from 30 March 2008.

The smoking ban also saw Europe's first smoke-free prison. [39]

Israel

In Israel it is forbidden to smoke in public closed places since 1983[40]. The law was amended in 2007 so that owners are held accountable for smoking in premises under their responsibility. The ban includes pubs and bars, and it is illegal for owners of such places to put ashtrays anywhere inside closed spaces. Also, owners of public places must put "no smoking" signs and prevent visitors from smoking. They can also designate a well ventilated and completely separate area for smokers, as long as the non smokers area does not fall below 75% of the whole area. The fine for owners of public places is ₪ 10,000 (around US\$2,800) and for smokers - ₪ 5000.

Italy

Italy was the fourth country in the world to enact a nationwide smoking ban. Since January 10th, 2005 it is forbidden to smoke in all public indoor spaces, including bars, cafès, restaurants and discos. However, special smoking rooms are allowed. In such areas food can be served, but they are subjected to strict conditions: they need to be separately ventilated, with high air replacement rates; their air pressure must constantly be lower than the pressure in the surrounding rooms; they must be equipped with automatic sliding doors to prevent smoke from spreading to tobacco-free areas. Only 1% of all public establishments have opted for setting up a smoking room.

Perhaps unexpectedly, the ban turned out to be highly popular and it is strictly enforced and respected by the general population.

Jersey

Smoking is restricted in public places in Jersey (a British Crown dependency).

The Restriction on Smoking (Jersey) Law 1973[41] enabled the States of Jersey to pass regulations prohibiting or restricting smoking in places of entertainment and public transport. In pursuance of this law, smoking was banned on public transport by the Smoking (Public Transport) (Jersey) Regulations 1982[42].

The Restriction on Smoking (Jersey) Law 1973 was amended by the Restriction on Smoking (Amendment No. 2) (Jersey) Law 2006[43] adopted 16th May, 2006 which enabled the States to make regulations to prohibit or restrict smoking tobacco or a substance (or a mixture of substances) other than tobacco, or the use of tobacco, in a workplace or other defined places.

Kazakhstan

Kazakhstan outlawed smoking in public places since 1st April, 2003. [44]

Kenya

Smoking in public indoor areas is banned in Nairobi, Kenya since July 2007.[45] Small private bars will be exempted. Mombasa already has a similar preexisting ban on smoking.

Lithuania

Smoking has been banned in restaurants, bars, places where food is served, clubs (except for special cigar and pipe clubs), and nightclubs since 1st January, 2007. Furthermore, smoking on public transportation is forbidden except on long-distance trains with special facilities.

Malta

In April 2004, smoking was banned in all enclosed public spaces, including public transportation, clubs and restaurants although smoking areas are allowed.

Malaysia

There is a ban on smoking in Malaysia, but does not extend to bars, cafes, and open areas.

In all, 19 areas are banned, including hospitals/clinics, public lifts and toilets, air-conditioned restaurants, public transport, government premises, educational institutions, petrol stations, Internet cafes and shopping complexes. However, enforcement is an issue, and the government plans to get tougher on offenders.[46]

Mexico

Smoking in hospitals and airports has been banned for at least 15 years. Smoking is allowed in designated areas at the Cancun Airport. Mexico City's current smoking policy, passed in April 2004, requires physically separate smoking and non-smoking areas, and for non-smoking areas to make up at least 30% of all space in restaurants and bars. [48] A proposal debated early in 2007 to extend Mexico City's smoking policy into a complete ban for all restaurants, bars, schools, taxis, and buses, did not pass. [49]. It was proposed again in middle-2007. Since April 2008 the law applies in Mexico City. It's expected to be expanded to all the country in 2008-2009. Advertisement of tobacco products has been banned from T.V. and radio for about 5 years.

Montenegro

Smoking in public places is banned in Montenegro. The ban also forbids smoking advertising and the display of people smoking on television. [50]

Mozambique

Since 2007, smoking has been banned in indoor public places including public transport, government buildings, schools, hospitals, libraries, cinemas, theatres, restaurants and bars, with the exception of specially designated smoking rooms.[51][52]

Netherlands

From 1 July, 2008, smoking will be banned in restaurants, cafés, bars and nightclubs.[53] Separated enclosed smoking rooms will still be allowed, as long as no food or drinks are served within. There will be no limits on the size of these rooms. Even the counters in "coffee shops" (cafés that sell cannabis) must be smoke-free, while smoking must be done in the designated smoking room. All rooms may be designated smoking room as long as employees do not work there. A kitchen by daytime, may be a smoking room at night for instance. Employees may only be required to enter the smoking rooms in emergency cases.

Other workplaces, public buildings and the public transport have been smoke-free since 1st January, 2004. Smoking rooms may be situated in enclosed designated smoking rooms or outside.[54] Designated smoking rooms may be hotel rooms.

Smoking is permitted in shopping malls, tobacco shops & cigar bars, gambling establishments and convention centres. However, these locations will be covered by the 2008 smoking ban.

If an enclosed patio has one door open, it may allow smoking.

Smoking is banned in festival tents as well.

The smoking ban exclusively bans tobacco smoking.

Since the 1st January, 2008, smoking is banned at Schiphol Airport. [55]

New Zealand

New Zealand passed an amendment to the Smoke-free Environments Act 1990 law on 3rd December, 2003 (effective in 2004) which covers all indoor public workplaces and inside hospitality venues (pubs, bars, restaurants and casinos). Studies have shown very high levels of compliance with the law. Also the air quality inside hospitality venues is very good compared to similar settings in other countries where smoking is still permitted. In New Zealand, tobacco cannot be sold to anyone under 18.[56]

Outdoor smoke-free laws cover the grounds of all schools, some council-owned parks (eg, in South Taranaki and Upper Hutt), the grounds of some hospitals, stadiums and one university campus (Massey University). The government has not moved to restrict smoking in cars but has run mass media campaigns that promote smoke-free cars and homes.

On 5th September, 2007, Action on Smoking and Health (ASH) New Zealand called for the removal of tobacco from sale by 2017.[57]

Nigeria

Smoking is prohibited in public places in Nigeria and is punishable by a fine of not less than N200 and not exceeding N1000 or to imprisonment to a term of not less than one month and not exceeding two years or to both such fine and imprisonment. [58] [59]

Norway

In Norway, smoking has been banned in public buildings and in private buildings that are open to the public (like restaurants, bars, cafes) since 1st June, 2004.

Peru

In Peru, it is nominally illegal to smoke in any public place (indoors), according to Law 25357. The ban is normally not enforced.

Philippines

Davao has banned smoking in a large number of public places, including public buildings, entertainment venues, hospitals, shopping malls, concerts since 2002. Smoking at gasoline stations outdoors is banned.[60]

Manila has banned smoking in large public areas like hospitals, malls, public transport, as well as Makati in 2002 Ordinance 2002-090, banning all public transport and enclosed indoor smoking.[61]

Portugal

On May 3, 2007, the Portuguese parliament made a law banning smoking in all public places. It went into effect January 1, 2008. Smokers who break the law face a fine of up to €1000 (~US\$1300) and establishments that break the law will face a fine of up to €2500 (~US\$3400). The legal age to purchase tobacco is 18.[62]

Puerto Rico

The Law Num. 40 from 1993, the Law to Regulate the Smoking Practice in Public Places, and its later 1996 amendment Law 133, regulate smoking in private and public places. The most recent modification established in [March 2, 2007], Law 66, amended articles 2, 3, 4, 5, 6, 9 and 11 of Law Num. 40, forbids this practice inside jails, pubs, restaurants (including open-air terraces with one or more employees), bars, casinos, workplaces, educational institutions, cars with children under age 13 and most public places. Smoking sections are not allowed. Fines start at \$250.

Russia

Russia does not yet have a smoking ban in force, however there is some proposed legislation in the Duma. The legislation, passed by the State Duma 406-0, bans smoking in workplaces, on aircraft, trains and municipal transport as well as in schools, hospitals and government buildings. It requires specially designated smoking areas to be set up and also requires restaurants and cafes to set up no-smoking areas. Russia's no smoking bill must go through two more readings in the Duma before being sent to the Federation Council for approval and to President Dmitry Medvedev for his signature.[63]

Singapore



A sign in Singapore to indicate that smoking is allowed

Smoking was banned in hawker centres, coffee-shops, cafes and fast-food outlets beginning 1st July, 2006. For establishments with an outdoor area, 10-20% of the area can be set aside for smoking, although they would have to be clearly marked to avoid confusion. Gradually, the ban has been extended to bus interchanges and shelters, public toilets and public swimming complexes.[64]

On 1st July 2007, the ban was extended to entertainment nightspots. The rule allows for the construction of designated smoking rooms which can take up to 10% of the total indoor space.

From 1 January 2009, the ban will be extended to all children's playgrounds, exercise areas, markets, underground and multi-storey carparks, ferry terminals and jetties. It will also be extended to non-air conditioned areas in offices, factories, shops, shopping complexes and lift lobbies.[65]

Smokers found flouting the rules are fined S\$200 while the owners of the establishments are fined S\$200 and S\$500 for a subsequent offence.

Slovenia

On 22nd June, 2007, the Slovenian National Assembly approved a law prohibiting smoking in all indoor public and work places, effective 5 August 2007. Exempted from the ban are "open public areas, special smoking hotel rooms, special smoking areas in elderly care centres and jails, and special smoking chambers in bars and other work places. The smoking chambers, which will have to meet strict technical standards, will however not be allowed to occupy more than 20% of an establishment."[66] *The law also raised the minimum age to purchase tobacco products from 15 to 18 and mandated that tobacco labels carry the telephone number of a quit-smoking hotline.*

South Africa

The South African Government passed the first Tobacco Products Control Act in 1993 and started implementing the act in 1995. The act regulated smoking in public areas and prohibited tobacco sales to people under the age of 16. Some aspects of tobacco advertising was also regulated for example labelling. "[67] The 1993 act was not considered to be comprehensive enough and the Tobacco Products Control Amendment Act was passed in 1999. This act bans all advertising and promotion of tobacco products, including sponsorship and free distribution of tobacco products. The act also restricts smoking in public places which includes the workplace, restaurants and bars and public transport. The act also stipulates penalties for transgressors of the law, and specifies the maximum permissible levels of tar and nicotine. The regulations were implemented in 2001. "[68]

The government proposed further amendments to the bill in 2007 which will seek to deal with new practices designed to circumvent the provisions of the Act. These amendments will also aim to bring the current law into compliance with the World Health Organization Framework Convention on Tobacco Control (FCTC). This framework has been ratified by the South African government. "[69]

The South African government is currently looking at increasing the minimum legal age for smokers to 18. "[70]

Spain

On 1st January, 2006, the law bans smoking in offices, shops, schools, hospitals, cultural centres and on public transport, including stations and airports. The law also states that restaurants and bars over 100 m² can designate a smoking area, but it has to be physically separated and may occupy at most 30% of the total floor space of the establishment. Establishments smaller than 100 sq.m. may choose whether to allow or prohibit smoking (most have allowed it). Additionally, the law prohibits the sale of tobacco products to persons under 18 years of age and limits the places in which tobacco can be sold.[71]

The law went into effect on January 1st, 2006. Months later, the community of Madrid made a decree which states that restaurants over 100 m² are not required to make complete physical separation of the smoking and non-smoking areas. Three other autonomous communities made similar decrees watering down the law, so that smoking areas are only required to be separated with ventilation systems.[72] See Spanish Antismoking Law (in Spanish)

Since Spain is a strongly decentralized country, a few autonomous communities, such as Madrid, Valencia, La Rioja, and Balearic Islands, have started an official but undeclared boycott to the Law, approved in the Spanish Parliament by unanimity. These communities are also using the courts to even make the law lighter, something impossible as the Ban Law is a Spanish Basic Law that can't be modified by local or autonomous governments.

Sweden

In Sweden, smoking was banned in restaurants, cafes, bars and nightclubs in June 2005. Smoking rooms are, however, allowed in these institutions. The smoking rooms contains a few restrictions; no serving or consumption of food or beverages are allowed in the smoking rooms and it may not cover more than 25% of the institution's total area. The ban was very popular amongst the population and even the industries affected.[73] In January 2008, The Swedish Prison and Probation Service banned smoking indoors in prisons.[74] Smoking is still allowed in hotel rooms and at airports which have designated smoking areas, including most major airports.

Switzerland

In the Canton of Ticino from 12th April, 2007 smoking is banned in restaurants, cafes, bars, nightclubs and public places [75] and the Canton of Geneva recently passed a referendum to ban smoking in public places starting from July 1st, 2008.[76]

Taiwan

There is a smoking ban in Taiwan for indoor public areas such as hospitals, malls, airports. Does not extend to entertainment areas as of yet, including gaming areas.

Thailand

Indoor smoking ban effective in all indoor air conditioned establishments throughout Thailand since November 2002, with entertainment areas exempted. Cigarettes have graphic pictures since 2005, and advertising is banned. Enforcement and compliance have been strong.

On January 10, 2008, Thailand announced that smoking would be banned in restaurants, bars, and open-air markets effective February 10, 2008. In addition to fines, those who fail to comply may be arrested.

Turkey

Smoking was first banned in 1997 in public buildings with more than four workers, as well as planes and public buses. [77]

On the 3 January 2008, Turkey passed a law banning smoking in all indoor spaces including bars, cafés and restaurants. It also bans smoking in sports stadia, and the gardens of mosques and hospitals. The smoking ban came into force on May 19, 2008, however bars, restaurants and cafes are exempted until July 2009 [78]

Uganda

In March 2004, smoking was banned in public places, including workplaces, and restaurant & bars. An extension to private homes is being considered.

United Arab Emirates

States in the United Arab Emirates recently started banning smoking in shopping malls and public places. States leading the ban on smoking include Abu Dhabi [79] , Ajman [80] , Dubai [81] and Sharjah [82].

United Kingdom

In the United Kingdom smoking bans were introduced separately by the devolved administrations in Scotland, Wales and Northern Ireland. The UK Parliament then followed suit and introduced a ban for England. Since 1 July 2007 smoking bans have been in effect across the whole of the UK.

In chronological order by country:

Scotland

On 26 March 2006, Scotland prohibited smoking in enclosed (more than 50% covered) public places, which includes public buildings, workplaces, sports stadiums, bars and restaurants. Exemptions are in place to allow hotel guests to smoke in their own rooms, as long as the hotel has designated them as smoking rooms. The law also bans smoking in bus shelters, phone boxes or other shelters that are more than 50% enclosed. It also prohibits smoking in trucks and vans which are owned by a company whether or not the driver is the only person inside. Businesses covered by the smoking ban must display a statutory smoking sign at the entrance to, and around the building [83] as well as a Smoke-Free policy. Opinion Polls at its introduction showed a clear majority of the Scottish public were in favour of the ban[84]

As in New Zealand, the ban was initially criticised by certain interested groups (e.g. publicans, cafe and bingo hall owners etc.) who feared that it would adversely impact their businesses. A survey published by the Scottish Beer & Pubs Association one year on from the ban concluded that "the number of pub licensed premises in Scotland has remained more or less constant over the last year"[85] indicating fears of an adverse impact of the ban on the hospitality industry were unfounded. Widespread concerns prior to the ban about its impact on Bingo Halls[86] prove harder to objectively assess: As at May 2008 there is anecdotal evidence[87] to suggest an increase in closures of Bingo Halls since implementation of the ban. However no statistical analysis has been conducted and speculation within the betting and gaming industry is that a decline could also be the result of demographic changes and increases in online gaming[88].

The NHS Scotland Quit Smoking Line reported it received an additional 50,000 calls from people wishing to give up in the six months after the ban was introduced.[89]. In September 2007 a study of nine Scottish hospitals over the 12 months following the ban reported positively on its impact on the country's health, including a 17% drop in admissions for heart attacks, compared with average reductions of 3% per year for the previous decade [90].

Wales

Smoking was banned across all enclosed public premises and work premises in Wales on 2 April 2007. Adherence is widespread and public houses report increases in takings since the ban came into place.[91] However, six months after the ban's implementation, the Licensed Victuallers Association (LVA), which represents pub operators across Wales, claims that pubs have lost up to 20% of their trade. The LVA says some businesses are on the brink of closure, others have already closed down, and there is little optimism that trade will eventually return to pre-ban levels.[92]

Northern Ireland

In Northern Ireland, a smoking ban has been in effect since 30 April 2007. It is illegal to smoke in all enclosed workplaces. This includes bars, restaurants, offices and public buildings. Like Scotland, the smoking ban is more comprehensive in that places, such as phone boxes and enclosed bus/train shelters are included. The on-the-spot fine for smoking in a workplace is £50 (~€70/~\$100), while a business that allows it can be fined £2,500 (~€3,700/~\$5,000).

A £200 fine may be levied by local councils if businesses fail to show signs. An opinion poll showed that 91% of people supported the ban.[93][94]

England

Main article: Smoking ban in England

Smoking was banned in indoor public places in England, including workplaces, bars, clubs and restaurants, on 1 July 2007. Some places, such as certain smoking hotel rooms, nursing homes, prisons, submarines, offshore oil rigs, psychiatric wards, and stages/television sets (if needed for the performance) are excluded. Palaces were also excluded,[95] although members of the House of Commons and the House of Lords agreed to ban all smoking in the Palace of Westminster.[96] The on-the-spot fine for smoking in a workplace is £50 (~€70/~\$100), £30 (~€45/~\$60) if one pays within 15 days, while a business that allows it can be fined £2,500 (~€3,700/~\$5,000). Smoking will be allowed to continue anywhere outdoors.[97] However, a confidential government briefing obtained by The Independent on Sunday newspaper reveals that provisions are in place for extending the ban to outdoor areas.[98]

United Nations

As United Nations buildings are not the subject of any national jurisdiction, the United Nations has its own smoking and non-smoking policies. Following the gradual introduction of partial smoking bans between 1985 and 2003, Secretary-General Kofi Annan introduced in 2003 a total ban on smoking at United Nations Headquarters.[99] Similar bans have not been introduced in field offices of the United Nations worldwide.

Some specialized agencies of the United Nations, such as the United Nations Children's Fund and the World Health Organization have their own strict smoking bans which apply to their offices worldwide, but the same is not necessarily true for entities of the Secretariat, such as the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs (OCHA). Only on 13 December 2007, OCHA introduced a smoking ban applicable to all its field offices.

For more information visit <http://www.nosmokinglaw.co.uk>

United States

Main article: List of smoking bans in the United States

In the United States, the question of smoking is determined at the state or municipal level, not by the federal government; therefore, smoking policies are instituted at the state or local level. Over 50% of Americans are covered by a ban ordinance of some degree.[100] Coverage varies from total smoking bans even outdoors to no ban at all. The West Coast and its cities tend to have the earliest and most prohibitive bans.

Uruguay

Main article: Smoking in Uruguay

In March 2006, it became illegal in Uruguay to smoke in enclosed public spaces. Now bars, restaurants or offices where people are caught smoking face fines of more than \$1,100 or a three-day closure. This makes Uruguay the first country in South America to ban smoking in enclosed public spaces.[101]

Anti-smoking groups estimate that as many as a third of Uruguay's 3.4 million people smoke. President Tabaré Vázquez, a practicing oncologist, has cited reports suggesting about seven people die each day in Uruguay (an estimated 5,000 people a year) from smoking-related causes including lung cancer, emphysema and other illnesses.[102]

Vatican City

On July 1, 2002 a law signed by Pope John Paul II became effective which banned smoking on all places accessible to the public and in all closed places of work within the Vatican City and within all extraterritorial properties of the Holy See. Smoking bans in museums, libraries and churches on Vatican territory were already in force before that date for a long time.[103]

Vietnam

The Vietnamese government has banned smoking and selling cigarettes in offices, production facilities, schools, hospitals, and on public transport nationwide [104] Smoking was banned enclosed indoor spaces and public facilities in Ho Chi Minh City in 2005, not including entertainment areas.

The ban has also been imposed on all forms of advertisement, trade promotion, and sponsorship by tobacco companies, as well as cigarette sales through vending machines, or over telephones and on the Internet.

Zambia

Smoking is prohibited in public places in Zambia and is punishable by a fine of K400,000 or imprisonment of up to two years. [105] [106]

Outdoor smoking bans

In the Australian state of Queensland, smoking is prohibited within four metres of entrances to public buildings, within 10 metres of children's playground equipment, in commercial outdoor eating or drinking areas, at patrolled beaches, and at all major sports stadiums.[107]

Some beaches in Sydney, Australia have smoking bans in place.

Smoking indoors or outdoors on land owned by the NSW Department of Education is banned

From 1st March, 2006, in Victoria, Australia smoking is banned from all covered train platforms, bus and tram stops.[108]

Cambridge Memorial Hospital in Cambridge, Ontario, Canada enacted a total (outdoor) smoking ban, believed to be the first in the entire province if not country, as of October 2004. At the same time, Wilfrid Laurier University in the nearby City of Waterloo, Ontario proposed a similar total smoking ban on its property, after its 10 metre outdoor proximity ban (enacted in 2002) failed. WLU was presumed to be the third Canadian (public) post-secondary institution to consider such measures, after Carleton and Acadia.

Smoking is prohibited in Hamilton Street Railway bus shelters in Hamilton, Ontario.

It is illegal to smoke on a bus or in a bus shelter in Winnipeg, Manitoba.

It is illegal to smoke on a bus or in a bus shelter as well as any less than 4 metres from any entrance in Halifax, Nova Scotia

Edmonton, Alberta banned all outdoor patio smoking at bars, restaurants and casinos on July 1, 2005. Nova Scotia did the same on 1st December, 2006.

Calabasas, California, United States banned smoking in almost all indoor and outdoor public places in 2006. Believed to be the strictest ban in the United States. At least 13 California cities (including Los Angeles) have banned smoking on their beaches, at least 4 other California cities (including San Francisco) ban smoking in parks or outdoor venues. For more info see List of smoking bans in the United States#Outdoor smoking bans.

Belmont, California banned smoking in outdoor places on September 25, 2007. This ban also applies inside condos, apartments and other kinds of multi-unit housing.[109][110]

California has banned smoking within 20 feet (6.1 m) of entrances to any public building.

Selected wards in Tokyo, Japan prohibit smoking on the streets. This ban is enforced and violators are fined. In response, free smoking cafes have been provided by Japan Tobacco.

56% of Chiyoda ward's land area is a no smoking zone as of April 2007.

Kyoto, Japan has banned smoking on 7.1 km of its streets in 2007, including busy areas along Kawaramachi, Karasuma-dori and Shijo Street avenues.

Railway stations in Japan are no-smoking except for a few remaining long distance services.

Many English NHS PCTs ban smoking on it premises both inside and outside hospitals, even places such as the car park and bus stations.

It is illegal to smoke on all train platforms in England, even if they are uncovered.

It is illegal to smoke on a bus or in a bus shelter in Northern Ireland and the Republic of Ireland.

It is illegal to smoke on the outdoor property of the institutions of public education in Slovenia, penalties are dictated by internal orders of the concerned institutions.

It is illegal to smoke in some bus shelters (complex rules determine which) and phone boxes in Scotland.

Other bans

Turkmenistan, under decree from President for life Saparmurat Niyazov, has banned the chewing of tobacco.

All public and Catholic schools in the Region of Waterloo in Ontario, Canada banned smoking on school property in the fall of 1994. A province wide smoking ban on school property is slated to begin for the 2007/2008 school year in British Columbia, Canada

Tobacco fatwa, Iran (1891), Egypt (2000)

Australia has a federal law prohibiting the manufacture and sale of all smokeless tobacco products. The sale of oral snuff and chewing tobacco has been banned since 1989 under the Trade Practices Act 1974.[111]

Other restrictions

In some countries, such as Germany and Russia, bans enacted earlier allow for smoking sections in restaurants, as well as possible special rooms for use by smokers in other workplaces (though many employers prefer not to incur the costs of building and maintaining such rooms).

Proposed bans

In the Czech Republic, there is a bill to prohibit smoking in all public areas and in all enclosed areas in pubs, restaurants, bars and others that do not have a separate room designated for smoking that has permanent ventilation and does not have an effect on smoke-free sections. There have recently been several bills proposing similar smoking restrictions, but these have never been enacted by the Chamber of Deputies.[112]

New Caledonia is likely to introduce restrictions on smoking in public places following a recent 25-nation global air-quality monitoring initiative.[113]

The Canadian province of Ontario has introduced legislation to ban smoking in vehicles carrying passengers below the age of 16.[5][6]

The government of Kanagawa Prefecture in Japan has compiled a basic plan for an ordinance to ban smoking in hotels, restaurants and other public places to be submitted to legislature in March 2009. It would be the first such local ordinance in Japan.