

## **Focus Area 27: Tobacco Use**

**Objective 27-13. Establish laws on smoke-free indoor air that prohibit smoking in private workplaces. Target = 51 states [State Data Source: State Tobacco Activities Tracking and Evaluation (STATE) System, CDC, NCCDPHP, OSH]**

**Objective 27-13a. Private workplaces. Target = 51 states**

**Objective 27-13b. Public workplaces. Target = 51 states**

**Objective 27-13c. Restaurants. Target = 51 states**

**Objective 27-13d. Public transportation. Target = 51 states**

**Objective 27-13e. Day care centers. Target = 51 states**

**Objective 27-13f. Retail stores. Target = 51 states**

**Objective 27-13g. (Developmental) Tribes. Target = To Be Determined**

**Objective 27-13h. (Developmental) Territories. Target = To Be Determined**

**Objective 27-13i. Bars. Target = 51 states**

Assembly Bill (AB) 13, California's statewide Smoke-Free Workplace Law, passed in 1994. When AB 13 became effective in 1995, it covered nearly all indoor workplaces except for bars and gaming establishments, with exemptions for businesses with 5 or fewer employees and hotels. According to data available in the STATE System, enforcement authority resides with local enforcement agencies and local health departments, and penalties are provided for provision violations. The California legislature passed AB 3037 in 1996 which required that bars become smokefree by January 1, 1998. Bars, taverns and non-tribal gaming clubs were required to post "No Smoking" signs at all entrances, and must prohibit smoking in any enclosed space. The law carries penalties of \$100 for the first violation, \$200 for the second violation within one year, and \$500 for each subsequent violation within one year. After the third violation, cases are referred to the California Occupational Safety and Health Administration (Cal-OSHA), where penalties may go as high as \$7,000 per violation. The law does not prohibit smoking in outdoor areas and patios, and American Indian gaming facilities are not subject to California state law unless the law is included in a compact between state or local governments and the tribe, or the casino management voluntarily adopts a smoke-free policy. (Casinos and gaming clubs on tribal land are controlled by sovereign entities.)

For more information on California's Smoke-Free Workplace Law, please visit:  
[http://www.dir.ca.gov/dosh/dosh\\_publications/smoking.html](http://www.dir.ca.gov/dosh/dosh_publications/smoking.html)

the CDC's State Tobacco Activities Tracking and Evaluation (STATE) System  
Web site at: <http://apps.nccd.cdc.gov/StateSystem/index.aspx>

and the CDPH Tobacco Control Program Web site at:  
<http://www.cdph.ca.gov/programs/Tobacco/Pages/default.aspx>

For more information on Healthy People 2010 objective 27-13a, please visit:

<http://www.healthypeople.gov/Document/HTML/Volume2/27Tobacco.htm>

And the DATA2010 Web site at: <http://wonder.cdc.gov/data2010/>