

# California's statewide smokefree air laws & restrictions

## Smokefree air laws matter

Smoking and secondhand smoke cause life threatening diseases. It is estimated that nearly 40,000 Californians die each year from diseases caused by smoking and secondhand smoke exposure. California has long led the way in adopting strong and innovative smokefree air laws that protect people from secondhand smoke exposure. These laws protect Californians at most workplaces and in spaces often frequented by children and youth, who are especially vulnerable to the negative health effects of secondhand smoke. California's smokefree laws include tobacco products such as cigarettes, cigars, and pipes, as well as electronic smoking devices. Certain laws prohibit the use of all tobacco products, including tobacco that is chewed or dissolved. Free help with quitting is available at <https://kickitca.org/> or by calling 800-300-8086.

## Smoking is prohibited

Space	Description	Code
Child/Day Care Centers	Within licensed day care centers, including private residences licensed as family day care homes.	Health and Safety Code Section 1596.795
Correctional Facilities	All state correctional facilities. Exceptions: Inmates may use tobacco products in departmentally approved religious ceremonies. A non-inmate may use tobacco products in certain residential staff housing where inmates are not present. A non-inmate may possess tobacco products in a locked private vehicle for personal use off facility grounds.	Penal Code Section 5030.1

Farmers' Markets	Within 25 feet of the common commerce area of certified farmers' markets.	Health and Safety Code Section 114371
Foster and Group Homes	Within a foster or group home, as well as outside the home when children are present.	Health and Safety Code Section 1530.7
Government Buildings	In all state, county, and city government buildings, including California community college district buildings, as well as within 20 feet from their main exits, entrances, or operable windows, and in any passenger vehicle owned by the state.	Government Code Section 7596-7597
Hotels, motels, and transient lodging	All hotels, motels and other lodging, including lobbies, common areas, employee only areas, meeting or banquet rooms and 100% of guest rooms.	Labor Code Section 6404.5
Multi-Unit Housing	In apartment and condominium indoor common areas (including hallways, stairwells, laundry rooms and recreation rooms). In addition, it is legal for landlords to make all housing they own and manage smokefree.	Labor Code Section 6404.5; Civil Code Section 1947.5
Personal Vehicles	When a minor (less than 18 years of age) is present in a motor vehicle that is in motion or at rest.	Health and Safety Code Section 118948
Public Transportation	In all public transportation systems and in any vehicle of an entity receiving transit assistance.	Health and Safety Code Section 118925
Playgrounds, Tot Lots & Youth Sporting Events	Within 25 feet of a playground, tot lot sandbox, or recreational area specifically designed for use by children, and within 250 feet of a youth sports event, which includes any practice, game, or related activity at which athletes up to 18 years of age are present.	Health and Safety Code 104495

Schools (Public & Charter)	In all school districts, charter schools, and county offices of education, while students attend school-sponsored activities or are under the supervision and control of school employees. Tobacco and nicotine products are prohibited in charter school-or school district-owned or leased buildings, on school or district property, and in school or district vehicles.	Health and Safety Code Sections 104420, 104559; Education Code 48901
State Parks & Beaches	Within state parks and state coastal beaches. Additionally, the disposal of used cigar or cigarette waste is prohibited unless the disposal is made in an appropriate waste receptacle. Exceptions include paved roadways or parking facilities of state parks and state coastal beaches.	Public Resources Code Section 5008.10
Workplaces	All indoor workplaces including bars, restaurants, offices, factories and warehouses. Exceptions include: <ul style="list-style-type: none"> <li>• long-term health care facilities (which may designate smoking areas for patients)</li> <li>• theatrical productions where smoking is an integral part of the story</li> <li>• medical research or treatment sites where smoking is integral to the research or treatment</li> <li>• cabs of trucks or tractors, however these spaces must be smokefree when nonsmoking employees are present</li> <li>• tobacco shops and in private smokers' lounges, as long as it occurs in an enclosed area in or attached to a retail or wholesale tobacco shop.</li> </ul>	Labor Code Section 6404.5
Youth Busses	By an operator of a youth bus at all times when operating a youth bus.	Vehicle Code 12523

## Local Laws May be Stronger

Local jurisdictions have and continue to adopt smokefree laws that are stronger than state laws. Contact your local tobacco control program to learn more about your municipal smokefree laws or to report smoking violations. For more information, visit [www.cdph.ca.gov/Tobacco](http://www.cdph.ca.gov/Tobacco)

## Citations

California Department of Public Health,  
California Tobacco Control Program.  
California Tobacco Facts and Figures  
2022. Sacramento, CA: California  
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CALIFORNIA  
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