

California's Statewide Smoke-Free Air Laws & Restrictions

Smoke-Free 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.¹ California has long led the way in adopting strong and innovative smoke-free 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 smoke-free 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://www.nobutts.org/> or by calling 1-800-NO BUTTS and 1-844-8-NO VAPE.

SMOKING IS PROHIBITED

Spaces	Description	Code
Child/Day Care Centers 	Within licensed day care centers, including private residences licensed as family day care homes.	<i>Health and Safety Code Section 1596.795</i>
Farmers' Markets 	Within 25 feet of the common commerce area of certified farmers' markets.	<i>Health and Safety Code Section 114371</i>
Foster and Group Homes 	Within a foster or group home, as well as outside the home when children are present.	<i>Health and Safety Code Section 1530.7</i>
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.	<i>Government Code Section 7596-7597</i>
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 smoke-free.	<i>Labor Code Section 6404.5; Civil Code Section 1947.5</i>
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.	<i>Public Resources Code Section 5008.10</i>
Personal Vehicles 	When a minor (less than 18 years of age) is present in a motor vehicle that is in motion or at rest.	<i>Health and Safety Code Section 118948</i>
Public Transportation 	In all public transportation systems and in any vehicle of an entity receiving transit assistance.	<i>Health and Safety Code Section 118925</i>



<p>Workplaces</p>  	<p>In all indoor workplaces including bars, restaurants, offices, factories and warehouses. Exceptions include long-term health care facilities (which may designate smoking areas for patients), theatrical productions (where smoking is an integral part of the story), and medical research or treatment sites (where smoking is integral to the research or treatment). Cabs of trucks or tractors must be smoke-free when nonsmoking employees are present. All hotel and motel lobbies, common areas, employee-only areas, meeting or banquet rooms, and at least 80% of guest rooms within a hotel must be smoke-free. Smoking is allowed in 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.</p>	<p><i>Labor Code Section 6404.5</i></p>
<p>Youth Busses</p> 	<p>By an operator of a youth bus at all times when operating a youth bus.</p>	<p><i>Vehicle Code 12523</i></p>

SMOKING AND TOBACCO PRODUCTS ARE PROHIBITED

Spaces	Description	Code
<p>Correctional Facilities</p> 	<p>In all state correctional facilities. Only possession of tobacco products in Department of Corrections' residential staff housing where inmates are not present is permitted.</p>	<p><i>Penal Code Section 5030.1</i></p>
<p>Playgrounds, Tot Lots & Youth Sporting Events</p> 	<p>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.</p>	<p><i>Health and Safety Code 104495</i></p>
<p>Schools (Public & Charter)</p> 	<p>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.</p>	<p><i>Health and Safety Code Sections 104420, 104559; Education Code 48901</i></p>

Local Laws May be Stronger

Local jurisdictions have and continue to adopt smoke-free laws that are stronger than state laws. Contact your local tobacco control program to learn more about your municipal smoke-free laws or to report smoking violations. For more information, visit www.cdph.ca.gov/Tobacco

¹ California Department of Public Health, California Tobacco Control Program. California Tobacco Facts and Figures 2018. Sacramento, CA: California Department of Public Health; 2020

