



The Smoke-Free Arizona Act: For the People, By the People

November 6, 2006 marks the date when the citizens of Arizona made their voices heard by passing the Smoke-Free Arizona Act, A.R.S. § 36-601.01. The resulting statute is the combined effort of many different organizations and individuals that wanted a cleaner and healthier Arizona. Some of the supporters of the Act were the American Lung Association of Arizona, the American Heart Association, the American Cancer Society, and Arizonan's Concerned About Smoking among many others. Ultimately, the Smoke-Free Arizona Act was a citizen initiated law that is truly for the people and by the people.



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Reviewing the Basics of the Smoke-Free Arizona Act

This newsletter was created to inform the public about the requirements of the Smoke-Free Arizona Act, A.R.S. § 36-601.01 (“the Act”), share updates with the community, and help businesses to comply with the Act.

The purpose of the Act is to protect workers, customers, and the general public from the harmful effects of secondhand smoke. The Act became effective on May 1, 2007 and prohibits smoking in most enclosed public places and places of employment, including (but not limited to):

- Restaurants, bars, grocery stores, or any food service establishment

- Office buildings and work areas such as meeting rooms, employee lounges, classrooms, and private offices

- Health care facilities such as hospitals, clinics, and doctors' offices

- Vehicles owned by the employer and operated during working hours if the vehicle is occupied by more than one person

- Enclosed common areas in hotels and motels

- Lobbies, elevators, restrooms, reception areas, halls, stairways, and any other enclosed common-use areas in public and private buildings including condominiums and other multiple-unit residential facilities

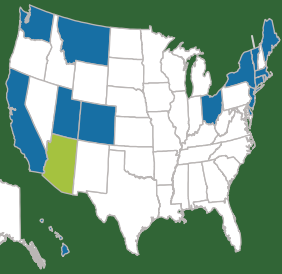


Smoke-Free Arizona

Leadership for a Healthy Arizona

Arizona — The 16th Smoke-Free State

On November 6, 2006, Arizona became the 16th state to pass a comprehensive smoke-free air law when Proposition 201 was approved by Arizona voters.



Arizona Earns an “A” Grade

In 2008, Arizona earned an “A” grade on the *American Lung Association State of Tobacco Control Report* for maintaining a strong and comprehensive enforcement program for the Smoke-Free Arizona Act. The report states that the hard-fought efforts of the Smoke-Free Arizona campaign continue to make Arizona a leader in protecting the health of its citizens.



Exemptions of the Act

While the goal of the Smoke-Free Arizona Act is to protect Arizona’s citizens from the dangers of secondhand smoke in enclosed public places and places of employment, there are some exempt places, defined by A.R.S. § 36-601.01 (B), where smoking can be allowed.

- **Private residences** (except when used as a licensed child care, adult day care, or health care facility)
- **Hotel and motel rooms** designated as smoking rooms (no more than fifty percent of rooms rented to guests in a hotel or motel are so designated)
- **Retail tobacco stores** (physically separated and independently ventilated so that smoke from retail tobacco stores does not infiltrate non-smoking areas)
- **Veterans and fraternal clubs** when they are not open to the general public

- Smoking when associated with **religious ceremonies** practiced pursuant to the American Indian Religious Freedom Act of 1978

- **Outdoor patios** so long as tobacco smoke does not enter into areas where smoking is prohibited through entrances, windows, ventilation systems, or other means

- **Theatrical performances** upon a stage or in the course of a film production or television production if the smoking is part of the performance or production

Tribes are Sovereign Nations. The Smoke-Free Arizona Act has no application on Indian reservations as defined in A.R.S. 42-3301 (2).

Note: There are provisions for each exemption that must be met in order to be considered exempted from the Law





Arizona's Smoking Rate Improves

The **2008 Behavioral Risk Factor Survey*** shows that Arizona's smoking rate among adults improved from 19.7% in 2007 to 15.7% in 2008. This is a **20%** drop in the number of Arizonans that smoke. These new figures rate Arizona as the seventh-lowest in the nation in terms of smoking prevalence, a significant decline from a year earlier when Arizona was 25th-lowest.

*This data is from the 2008 Behavioral Risk Factor Surveillance System, which is the U.S. Centers for Disease Control and Prevention's annual survey of the nation's health.

What Proprietors Really Need to Know About the Smoke-Free Arizona Act

These are the simple things you need to do as an employer or business owner to comply with the Smoke-Free Arizona Act:

- Remove all indoor ashtrays and smoking receptacles and move all outdoor ashtrays and smoking receptacles at least 20 feet away from entrances
- Post the required "No Smoking" signs at every entrance into to your establishment, available free of charge online at smokefreearizona.org
- Inform all existing and prospective employees about the Act
- Prohibit anyone such as employees, vendors, and customers from smoking within 20 feet of all entrances and inside your place of business
- Politely inform violators smoking inside or within 20 feet of an entrance to extinguish their lit tobacco product or to go outside and at least 20 feet away from the entrance to smoke



Opinion Poll 2008

La Paz County Education & Prevention Program conducted a Smoke-Free Arizona public opinion survey in the fall of 2008. The results of the survey revealed that public support of the Act is at a staggering 75%. Based on the survey findings, La Paz County will continue outreach to the public, public service announcements, and routine educational visits.

“Thank you for helping make our dining, shopping, and entertainment experiences more breathable!”

La Paz County
Citizen



For More Information or to Report a Violation

The public is encouraged to call the Arizona Department of Health Services for more information or to report businesses that are not in compliance with the Smoke-Free Arizona Act. Complaints may be filed anonymously and are investigated within 15 days after receipt of the complaint.

Complaints may be reported to the Arizona Department of Health Services by:

- Visiting our website at smokefreearizona.org to **submit an online form**
- Sending an e-mail to nosmokingarizona@azdhs.gov
- Calling the toll-free number

For more information about the Act, or to view our brochures addressing:

- [Information about the Act](#)
- [Employers](#)
- [Outdoor Areas](#)
- [Private Residences and Multi-Family Housing](#)

Please visit our website at smokefreearizona.org.

Call Us

If you need more information about the Smoke-Free Arizona Act or if you are not sure whether your complaint is a violation, call us. We will be happy to clarify any questions you may have about the Act or to place the complaint on your behalf.

We are just a phone call away!

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