Some Exemptions of the Law

While the goal of the Smoke-Free Arizona Act is to protect Arizona's citizens from the dangers of secondhand smoke, there are some specific public places where smoking will 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)
- Veterans and fraternal clubs, when they are not open to the general public
- Outdoor patios, so long as tobacco smoke does not enter areas where smoking is prohibited through entrances, open windows, ventilation systems, or other means

For a complete list of all the exemptions of the Smoke-Free Arizona Act, please visit our website at **smokefreearizona.org.**

Why It's Important

The main purpose of the Smoke-Free Arizona Act is to protect workers, customers, and the general public from the harmful effects of secondhand smoke in most enclosed public places and places of employment. Why is it so important?

- 4,000 chemical compounds have been identified in secondhand smoke, 200 are poisons and at least 40 cause cancer[1]
- Exposure to the secondhand smoke of just one cigarette per day accelerates the progression of atherosclerosis (hardening of the arteries)[2]
- Smoke-filled rooms have up to six times the air pollution as a busy highway[3]
- Secondhand smoke is responsible for approximately 3,000 lung cancer deaths annually in U.S. non-smokers[4]

[1]American Lung Association, www.lungusa.org; [2]American Heart Association, www.heart.org; [3]Centers for Disease Control, It's Time to Stop Being a passive Victim, 1993; [4]CDC Tobacco Use in the U.S., Retrieved Sept. 30, 2003, www.cdc.gov/tobacco/overview/tobus_us.htm.

Tips for Going Smoke-Free

Inform your employees about the new Law. Some effective ways to communicate with your employees are listed below:

- Discuss the Law at a staff meeting or distribute a memo to staff explaining the Law (fact sheet available online at smokefreearizona.org)
- Add a "No Smoking" policy to employee manual
- Explain that the Law doesn't prohibit smoking, it protects the health of employees and customers
- Include articles in your employee newsletter about the requirements of the Law and the health effects of secondhand smoke
- Distribute information about the Law as a paycheck insert
- Provide assistance to your employees who want to quit:

Call the Arizona Smokers' Helpline 1-800-556-6222 for free phone counseling, information about cessation programs in your area, and help with reduced cost medication.

Resources are also available online at **ashline.org.**

For More Information

Visit **smokefreearizona.org**
Call 1-877-AZSTOPS or 1-877-297-8677
Email: **smokefreearizona@azdhs.gov**

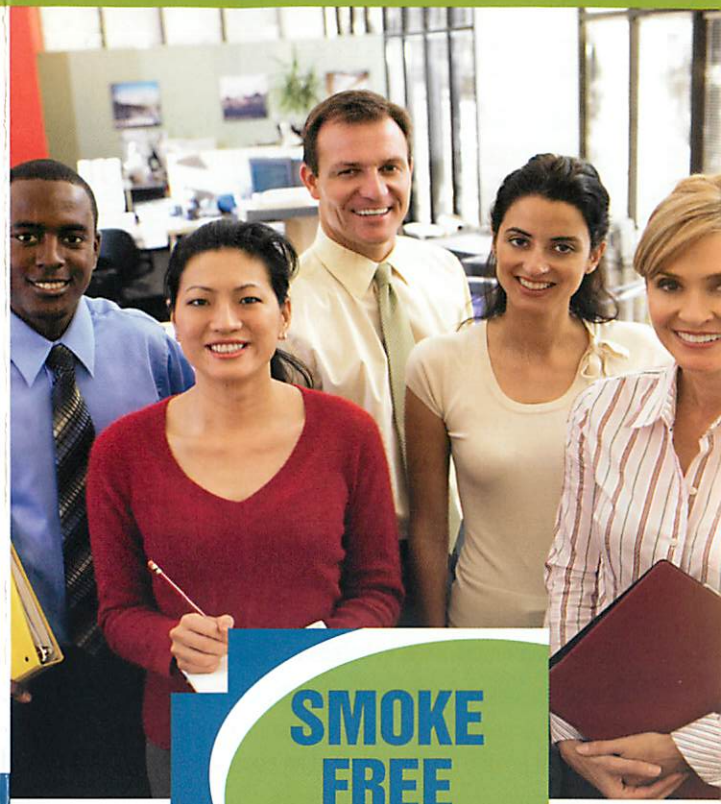
To Report a Violation

The public is encouraged to report a violation of the Smoke-Free Arizona Act to the Arizona Department of Health Services by one of the following options:

Fill out an online form at **smokefreearizona.org**
Call 1-877-4-AZNOSMOKE or 1-877-429-6676
Email: **nosmokingarizona@azdhs.gov**

Arizona Department of Health Services

Arizona Department of Health Services
Office of Environmental Health
Smoke-Free Arizona Program
150 North 18th Avenue, Suite 430
Phoenix, AZ 85007-3247



SMOKE FREE ARIZONA

Clearing the Air About the Smoke-Free Arizona Act

Arizona Department of Health Services

Let's Clear the Air

In November of 2006, the citizens of Arizona made their voices heard by passing The Smoke-Free Arizona Act, A.R.S. § 36-601.01, which 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

As an Employer

There are a few simple things you need to do as an employer or business owner to comply with the Smoke-Free Arizona Act as of May 1, 2007:

- 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 at **smokefreearizona.org**
- Inform your employees about the new Law
- Prohibit anyone such as employees, vendors, and customers from smoking within 20 feet of all entrances and inside your place of business
- Inform violators if they are smoking in a non-smoking area by politely requesting that they put it out or that they go outside and at least 20 feet away from the entrance to smoke

Entrances — The 20 foot rule

A proprietor should not permit smoking within 20 feet of the establishment's entrances, open windows, or ventilation systems unless defined differently by a local ordinance.

The purpose of the 20 foot rule is to prevent smoke from entering into areas where smoking is prohibited.

Outdoor patios

Smoking is allowed on outdoor patios. Business owners with food and / or liquor licenses should consider contacting the county health department, the Department of Liquor Licenses and Control, the local building department, and any other applicable authorities before modifying or building a new outdoor smoking patio. Other business owners should also consider contacting any applicable authorities.

Outdoor patios and the 20 foot rule

If an outdoor patio is less than 20 feet from any entrance of an establishment, a proprietor may permit smoking on the outdoor patio only if the proprietor uses a method that:

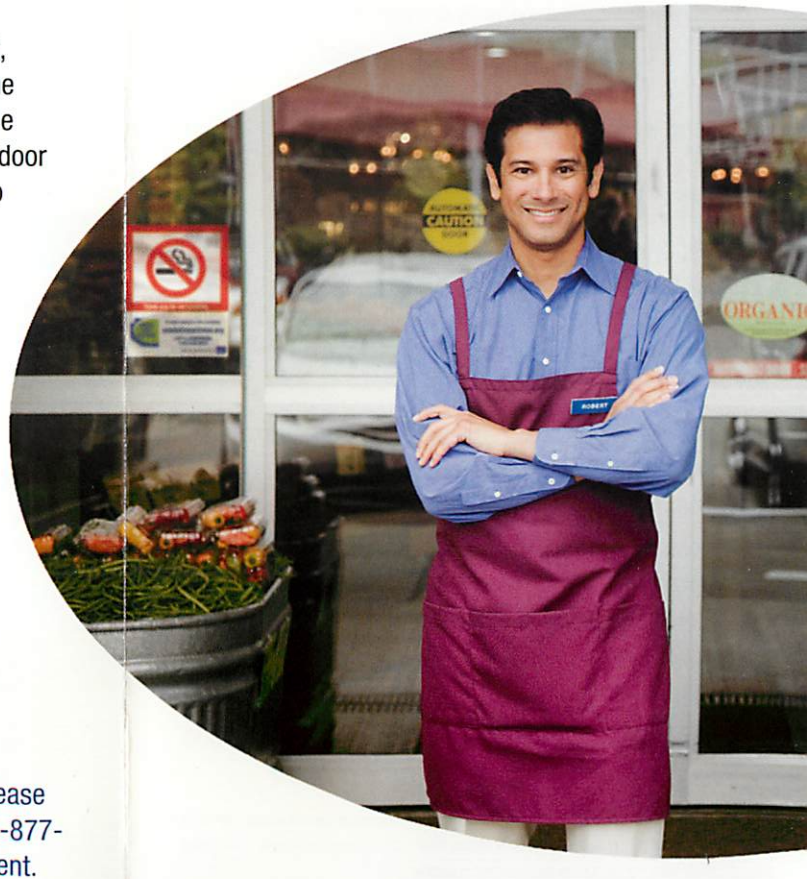
- Provides a smoke-free entrance into the establishment
- Does not permit tobacco smoke to drift into the establishment through entrances, open windows, ventilation systems, or other means.

For more information regarding outdoor patios, please visit our website at **smokefreearizona.org**, call 1-877-AZ STOPS, or contact your county health department.

Compliance

How is the Law Enforced?

County health departments will investigate complaints about violations of the Smoke-Free Arizona Act. If there is an ongoing problem fines may be assessed.

Complaints, Violations, and Penalties

If a violation is found, the business owner will receive a warning notice and is subject to fines between $100 to $500 per violation per day or up to $5,000 per violation per day if a Superior Court determines there is a pattern of noncompliance. An individual who smokes where prohibited is a guilty of a petty offense and may be fined between $50 to $300.