

Legislative UPDATE

CLEAN INDOOR AIR ACT

From State Senator Chuck McIlhinney

S U M M E R 2 0 0 8



Dear Friend:

The General Assembly recently passed the Clean Indoor Air Act, legislation that would implement a statewide ban on smoking in most public places and workplaces. A number of local business owners and district residents have contacted me to learn more about the provisions of the Act. I have included more information about this legislation in this mailer.

I was proud to serve on the conference committee on the Clean Indoor Air Act, allowing me to play an active role in crafting a compromise on this legislation. A number of concerns were raised from supporters and opponents of the bill throughout the process, and this input was very valuable in creating the final compromise. While many of my colleagues favored a more comprehensive smoking ban, I felt that it was important to strike the proper balance between those who support a smoke-free environment and those who favor the rights of adults to take part in the perfectly legal activity of smoking. I feel that this legislation is a good compromise and a workable solution that can benefit all citizens of the Commonwealth.

I would like to thank everyone who contacted me regarding this legislation, and I hope you find the information in this mailer to be useful. As always, please feel free to contact me if you have any future questions on this legislation or any other state-related issue.

Chuck McIlhinney

Clean Indoor Air Act Signed Into Law

The Clean Indoor Air Act will prohibit smoking in many public places and workplaces such as restaurants, sports arenas, schools, office buildings, public transportation and theatres. The ban will help to shield employees and patrons of these facilities from the harmful effects of secondhand smoke.

The Act contained a limited number of exemptions. Smoking

would be permitted in bars and taverns that derive less than 20 percent of their total revenue from food sales, as well as private clubs and cigar bars. Smoking would also be permitted in all private residences and vehicles except those used for day care. Nursing homes, mental health care facilities and adult care facilities can permit smoking in designated smoking rooms.

Casinos would be permitted to allow smoking on up to 25 percent of the gaming floor, which can be increased to 50 percent if the casino can verify a loss of revenue by machine. Smoking will also be prohibited in at least 75 percent of sleeping quarters at all lodging establishments.

The Act was signed into law on June 13, 2008, and will go in effect in 90 days.

CLEAN INDOOR AIR ACT FACTS



SMOKING IS PROHIBITED IN:

- Public places and workplaces
- Restaurants
- Indoor sports and recreational facilities
- Mass transit vehicles and stations
- Educational and health facilities
- 50-75 percent of gaming floors
- 75 percent of rooms in lodging establishments

SMOKING IS PERMITTED IN:

- Bars that derive less than 20 percent of total revenue from food sales
- Private clubs
- Cigar bars
- 25-50 percent of gaming floors
- 25 percent of rooms in lodging establishments
- Retail or wholesale tobacco businesses and tobacco manufacturers or importers
- Private residences and vehicles, except those used for day care



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