

LOUISIANA STRENGTHENS STATEWIDE SMOKING RESTRICTIONS



The recent 2006 LA legislative session has been an exciting one for those of us in public health and here at The Louisiana Campaign for Tobacco-Free Living (TFL). Two very important pieces of legislation were passed that impact the work we do and assist us in reaching our mission. The “Louisiana Smoke-Free Air Act” (Act No. 815), effective January 1, 2007, prohibits smoking in most public places and workplaces, including all restaurants with or without attached bars. Smoking will still be allowed in stand-alone bars and casinos. Perhaps most important, Louisiana’s partial preemption of local smoke-free air ordinances was repealed and replaced by a specific non-preemption clause. This means local communities are now free to strengthen the Act with stricter local ordinances. Additionally, Act No. 838 was passed which prohibits smoking in motor vehicles when children under the age of 13 are present (effective August 15, 2006).

Thanks to Governor Blanco and our legislators for responding to Louisiana citizens who want and deserve the right to breathe clean, smoke-free air. We will all breathe a little easier in the upcoming year and beyond. Louisiana’s Smoke-Free Air Act will be seen as a major turning point for our state - Louisiana is now among national leaders in an effort to protect Americans from the dangers of secondhand smoke.

The Louisiana Smoke-Free Air Act (Act 815) covers:

- Restaurants (including those with bars and the bar located within the restaurant)
- Cafeterias
- Sandwich stands
- School cafeterias
- Kitchens
- Catering facilities
- Banks
- Healthcare facilities
- Hotel-motel lobbies
- Public transportation
- Sports arenas
- Theaters
- Shopping malls
- Laundromats
- Reception areas/waiting rooms
- Retail stores
- Places of employment (including work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways and vehicles)
- Private residences when used for licensed child care, adult day care or health care facility
- Private cars that are used for transporting children for child care, health care or adult day care centers or those that are carrying children 12 and younger (under Act 838)
- Educational facilities
- Schools (elementary and secondary)
- School buildings, the entire campus within the school gates and all school buses.

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How to Comply and What are the Fines:

“No Smoking” signs or the international “No Smoking” symbol must be clearly posted and ashtrays must be removed where smoking is prohibited. Penalties may be cited by any law enforcement officer by giving a citation or summons to appear before a court of proper authority. Fines are different for individuals than they are for employers. Fines for individuals are: \$25 for the first offense, \$50 for the second offense and \$100 for the third or subsequent offense.



Fines for employer violations are heftier: \$100 for the first offense, \$250 for the second offense and \$500 for the third offense. Half of the fines collected will go to the Office of Public Health’s Tobacco Control Program.

The Louisiana Tobacco Quitline:

Quitting smoking can be a difficult decision to make, especially on your own. TFL offers several statewide services to provide counseling and support to people ready to quit.



The Tobacco Quitline at 1-800-QUIT-NOW provides free and confidential advice and support to Louisiana residents, ages 15 and older, who are ready to quit smoking. Certified counseling is available in English and Spanish, 24 hours a day, 365 days a year, to help callers kick the habit and improve the quality of their lives. We at TFL are here to support nonsmokers and smokers alike, particularly in these times of new legislation.

We are extremely pleased with the strengthening of Louisiana’s statewide smoking restrictions, however much work remains until all Louisiana workers are protected from secondhand smoke.

Contact TFL for detailed information about how this legislation affects you and the public places that you visit or to get information about cessation services offered by TFL.

For more information:

Call: 1-866-I-AM-4-TFL
(1-866-426-4835)

Visit: www.tobaccofreeliving.org
or www.myTFL.com

