

GENERAL

Issue: 03

EPA

La. smoke Free
Environment

Revised: Dec. 2, 2010

Safety BULLETIN

The Louisiana Smoke Free Environment Law

Effective January 1, 2007, the Louisiana Smoke Free Air Act became Law. The purpose of the Act is to preserve and improve the health, comfort, and environment of the people of this state by limiting exposure to tobacco smoke.

The legislature finds and determines that it is in the best interest of the people of this state to protect nonsmokers from involuntary exposure to secondhand smoke in most indoor areas open to the public, public meetings, restaurants, and places of employment. The legislature further finds and determines that a balance should be struck between the health concerns on non-consumers of tobacco products and the need to minimize unwarranted governmental intrusion into and regulation of private spheres of conduct and choice with respect to the use or nonuse of tobacco products in certain designated public areas and in private places. This law bans, restricts, and prohibits smoking in most indoor environments used by the public, such as: schools, school buses, school campuses, public buildings, state, local, or private correctional facilities.

This law does not prohibit smoking in the following places:

- (1) Private homes, private residences, and private automobiles; unless such home, residence, or vehicle is being used for child care or day care or if a private vehicle is being used for the public transportation of children or as part of health care or day care transportation.
- (2) Limousines under private hire.
- (3) A hotel or motel room designated as a smoking room and rented to a guest provided that a maximum of 50% of rooms at the discretion of the hotel owner or general manager available for rent to guests may be designated as smoking.
- (4) Any retail tobacco business.
- (5) Any bar.

This law prohibits an individual, person, entity, or business subject to the smoking prohibitions to discriminate or retaliate in any manner against a person for making a complaint of a violation or furnishing information concerning a violation to a person, entity, or business or to an enforcement authority.

The purpose of this is to preserve and improve the health, comfort, and environment of the people of this state by limiting exposure to tobacco smoke.

Benefits of this law from reduced exposure to secondhand smoke include: Savings from premature deaths, avoiding and reducing illness in children, reduced operation and maintenance cost of buildings, reduction in smoking related fires in public buildings, and reduction in annual expenditures for medical services. Other benefits, particularly concerning municipalities include: loss of work days, as well as, loss of work production due to smoking and/or exposure to second hand smoke related illness.

Reference: Louisiana Act #815 (Louisiana Smoke Free Environment Act) enacted into Law and effective January 1, 2007

<http://www.legis.state.la.us/billdata/streamdocument.asp?did=407408>

<http://www.800quitnow.com/documents/pdf/Smoking%20Law1.pdf>