States with Any Type of Preemption of Smokefree Air Laws

American Nonsmokers' Rights Foundation

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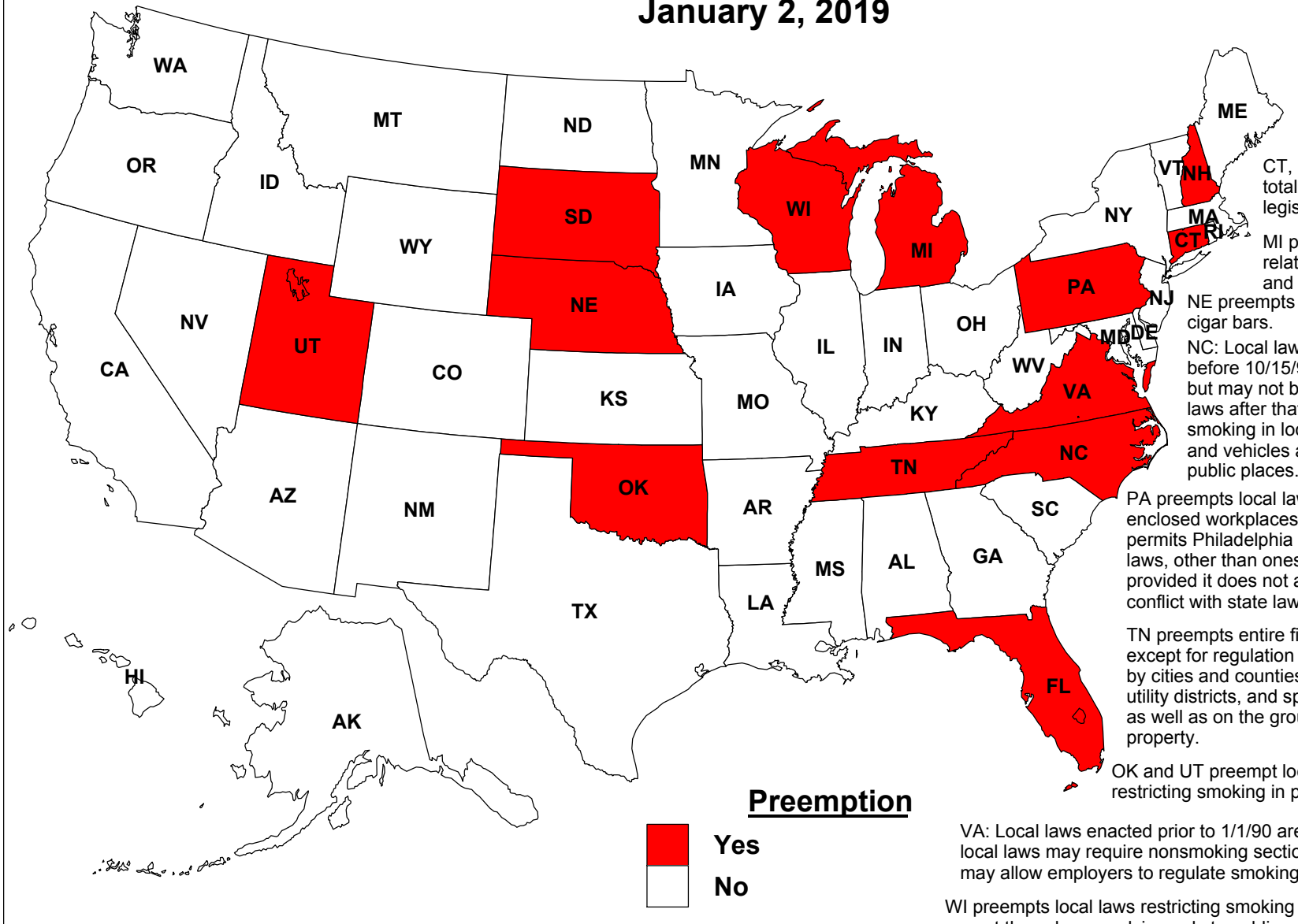

CT, FL, NH, and SD have total preemption of smoking legislation.

MI preempts local laws relating to restaurants and bars.

NE preempts local laws relating to cigar bars.

NC: Local laws enacted/effective before 10/15/93 remain in force, but may not be strenthened. Local laws after that date may regulate smoking in local gov't buildings and vehicles as well as in specifed public places.

PA preempts local laws relating to smoking in enclosed workplaces & public places, but permits Philadelphia to enforce its smokefree laws, other than ones pertaining to gambling, provided it does not amend its laws so as to conflict with state law.

TN preempts entire field of regulations except for regulation in public buildings by cities and counties, airport authorities, utility districts, and special school districts, as well as on the grounds of municipal property.

OK and UT preempt local laws other than those restricting smoking in public outdoor areas.

VA: Local laws enacted prior to 1/1/90 are not preempted. Other local laws may require nonsmoking sections in public places and may allow employers to regulate smoking in private workplaces.

WI preempts local laws restricting smoking in outdoor areas, except those laws applying only to public property.

Note: American Indian and Alaska Native sovereign tribal laws are not reflected on this map.