



## Smoking Restriction Fact Sheet

### P2 (6) Improve Healthy Behaviors in Families and Communities: Enact a Statewide Restriction on Smoking in Public Places

#### POLICY

Enact a statewide smoking restriction in public places, coupled with a Governor's Executive Order requiring state agencies to hold meetings in smoke-free facilities will allow Kansans to work and gather without exposure to the negative consequences of secondhand smoke on their health.

#### BACKGROUND

This policy option recommends that legislation be enacted that prohibits smoking in all public places. Based on the health impact on cities that have enacted strict clean indoor air laws, a statewide law in Kansas could result in 2,160 fewer heart attacks and \$21 million less in associated hospital charges for heart attacks alone. A recent poll indicated that 73% of Kansas adults favor such a state law or local ordinance.

Secondhand smoke is ingested in two ways: 1) through the lit end of the cigarette; and 2) by the exhaled smoke of the smoker. Cigarette smoke contains over 4,000 chemicals and is a known carcinogen. At its most severe impact, secondhand smoke results in 3,000 annual cancer deaths in the US and 35,000 deaths from heart disease. This statistic represents a stark consequence of secondhand smoke, but fails to show the full impact. Exposure to cigarette smoke also results in an increase of asthma attacks, lower respiratory tract infections in children under 18 months old, coughing, and reduced lung function. Pregnant women are particularly susceptible to having low birth weight babies as a result of secondhand smoke exposure. A 2006 Surgeon General's report notes that, "the scientific evidence indicates there is no risk-free level of exposure to secondhand smoke." The National Institute for Occupational Safety and Health (NIOSH) recommends that secondhand smoke be considered as a potential occupational carcinogen.

Enactment of smoke free policies at the state level would address the issue of business owners who believe that local control of smoking bans results in an uneven playing field as businesses compete with other jurisdictions that may have no ban in place. In Kansas, 72% of the working population is protected by worksite nonsmoking policies. (CDC Sustaining State Programs for Tobacco Control Data Highlights, 2006). More than 40 states have imposed restrictions on smoking in public places. (National Conference of State Legislatures 2004).

Smoking is the number one preventable cause of death in Kansas and 83% of Kansas adults believe it is a serious health hazard. (Sunflower Foundation 2007). Evidence has shown that statewide smoking bans decrease the smoking rate among active smokers by 10%, a potential decrease of 40,000 smokers in Kansas (KDHE).

#### POPULATION SERVED

In Kansas, 1.4 million working adults would benefit from working and living in a smoke-free environment.

Rm. 900-N, Landon Building, 900 SW Jackson Street, Topeka, KS 66612-1220

[www.khpa.ks.gov](http://www.khpa.ks.gov)

#### Medicaid and HealthWave:

Phone: 785-296-3981  
Fax: 785-296-4813

#### State Employee Health

Benefits and Plan Purchasing:  
Phone: 785-368-6361  
Fax: 785-368-7180

#### State Self Insurance Fund:

Phone: 785-296-2364  
Fax: 785-296-6995

## Frequently Asked Questions

**Recommendation: Enact a statewide smoking restriction in public places so that Kansans can gather and work without exposure to secondhand smoke and the health consequences that result.**

**Background:** Twenty-six states have adopted smoke-free ordinances in response to the harmful effects of secondhand smoke. In a Kansas Adult Tobacco Survey conducted in 2002-2003, 94% of those polled believe that secondhand smoke is harmful to health. This belief is supported by the data. A 2006 Surgeon General's Report states "scientific evidence is indisputable that secondhand smoke causes premature death and serious disease in both children and adults who do not smoke." The Report goes on to state that secondhand smoke is a proven cause of heart disease and lung cancer in nonsmoking adults, as well as a cause of SIDS, low-birth weight, acute respiratory infections, ear infections, and asthma attacks in infants and children. The Surgeon General noted that there is no safe level of exposure to secondhand smoke. In Kansas, 17 communities have adopted clean indoor air ordinances and several others are considering them.

**Should state government set this policy?** KHPA supports local ordinances that have been adopted in the absence of a statewide standard. However, a uniform policy must be enacted to ensure protection from secondhand smoke for all Kansans. A statewide policy would address the concern of business owners who believe that local control of smoke free policies results in an uneven playing field as businesses compete with other jurisdictions that may not have a smoke free policy in place. State government often takes the lead in pre-empting local control when public health is at stake.

**Will a statewide smoke free law have an economic impact on hospitality businesses?** The data from other states and localities does not indicate a negative financial impact. The Surgeon General's 2006 Report examined several studies and concluded "smoke-free policies and regulations do not have an adverse economic impact on the hospitality industry." In a 2006 Zagat Survey of America's top restaurants, 58% of respondents stated they would dine out at the same frequency if restaurants were smoke free and 39% indicated they would dine out more frequently if smoke-free. Only 3% claimed they would dine out less often. Again, a statewide, uniform standard helps businesses attract clientele.

### **Are smoke free policies an infringement on individual rights?**

An absence of a smoke free policy is an infringement on the rights of 80% of the population that does not smoke. The data confirms that there are health consequences to secondhand smoke exposure. Workers and the general public should be allowed to work and gather in places without taking on the risk of secondhand smoke. Seventy-six percent of white collar workers already enjoy protection from secondhand smoke, but only 52% of blue collar workers get the same consideration.

**Legislative Action:** Adopt a statewide smoking restriction in public places.