

# STATE System Help — Glossary

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## Behaviors — Cigarette Use

### Behavioral Risk Factor Surveillance System (BRFSS) and Tobacco Use Supplement to the Current Population Survey (TUS-CPS) Definitions

#### **Current Smoking among Adults\***

Persons who reported ever smoking at least 100 cigarettes and who currently smoke every day or on some days.

Respondents who answered "don't know" or who refused to answer were excluded from the analysis, as were respondents with missing current smoking information.

\*Before 1996, BRFSS respondents were asked, "Have you smoked at least 100 cigarettes in your entire lifetime?" and "Do you smoke cigarettes now?" The BRFSS defines current smokers as persons who reported having ever smoked at least 100 cigarettes during their lifetime and who smoke now.

#### **Every Day Smokers**

Persons who reported ever smoking at least 100 cigarettes and who currently smoke every day.

#### **Former Smokers**

Persons who reported ever smoking at least 100 cigarettes but who do not currently smoke.

#### **Mean Number of Cigarettes**

Among current smokers, the average number of cigarettes smoked per day.

#### **Never Smokers**

Persons who reported having never smoked 100 cigarettes in their lifetime.

#### **Number of Cigarettes per Day**

Among current smokers, the number of cigarettes smoked per day.

#### **Percent of Ever Smokers Who Have Quit**

The percentage of ever smokers who no longer smoke is calculated by dividing the number of former smokers by the number of current and former smokers.

#### **Quit Attempt in Past Year**

Among current smokers, those who quit smoking for one day or more.

#### **Some Day Smokers**

Persons who reported ever smoking at least 100 cigarettes and who currently smoke on some days.

### Youth Risk Behavior Survey (YRBS) Definitions

#### **Current Cigarette Use**

Students who reported that they had smoked cigarettes on one or more days of the 30 days preceding the survey.

**Frequent Cigarette Use**

Students who reported that they had smoked cigarettes on 20 or more of the 30 days preceding the survey.

**Percent (%)**

Percentage of surveyed students who reported "current cigarette use" or "frequent cigarette use."

**Youth Tobacco Survey (YTS) Definitions****Current Cigarette Use**

Percentage of students who reported that they had smoked cigarettes on one or more days of the 30 days preceding the survey.

**Ever Cigarette Use**

Percentage of students who reported that they had ever tried smoking cigarettes, even one or two puffs.

**Frequent Cigarette Use**

Percentage of students who reported that they had smoked cigarettes on 20 or more of the 30 days preceding the survey.

**High School (HS)**

Data are based on a sample of students in grades 9–12.

**Middle School (MS)**

Data are based on a sample of students in grades 6–8.

**Percent of Current Smokers Who Want to Quit**

Percentage of current smokers who want to stop smoking cigarettes.

**Quit Attempt in Past Year**

Percentage of current smokers who quit smoking for one day or more in the past year.

**Other Definitions****African American**

Persons who trace their ancestry of origin to Sub-Saharan Africa.

**American Indian/Alaska Native**

Persons who have origins in any of the original peoples of North America and who maintain that cultural identification through self-identification, tribal affiliation, or community recognition.

**Asian American/Pacific Islander**

Persons who trace their background to the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

**Hispanic**

Persons who trace their background to one of the Spanish-speaking countries in the Americas or to other Spanish cultures or origins.

**Less than 12 years of Education**

Respondents who reported having either no education, elementary education or some high school education.

**More than 12 years Education**

Respondents who reported having one to three years of college or technical school or a college degree.

**Race and Ethnicity**

Individuals are grouped into one of four race categories or one ethnic group (Hispanic). Hispanic origin is determined first; then, all non-Hispanics are classified by self-reported race.

**Sample Size**

Number of individuals who responded to this question.

*Note: "NA" indicates that survey data are not available.*

**White**

Persons who have origins in any of the original peoples of Europe, North Africa, or the Middle East.

**12 years of Education**

Respondents who reported having a GED or high school education.

**95% Confidence Interval**

A range that, with 95% certainty, includes the true population prevalence.

*Note: "NA" indicates that survey data are not available.*

## Behaviors — Other Tobacco Use

### Tobacco Use Supplement to the Current Population Survey (TUS-CPS) Definitions

#### **Current Cigar/Pipe Smokers**

Persons who have ever smoked cigars or a pipe on a regular basis and who smoke now.

#### **Current Smokeless Tobacco Use**

Persons who have ever used chewing tobacco or snuff on a regular basis and who use them now.

#### **Former Cigar/Pipe Smokers**

Persons who have ever smoked cigars or a pipe on a regular basis but who do not smoke now.

#### **Former Smokeless Tobacco Use**

Persons who have ever used chewing tobacco or snuff on a regular basis but who do not use them now.

#### **Never Cigar/Pipe Smokers**

Persons who have never smoked cigars or a pipe on a regular basis and do not smoke now.

#### **Never Smokeless Tobacco Use**

Persons who have never used chewing tobacco or snuff on a regular basis and who do not use them now.

### Youth Risk Behavior Survey (YRBS) Definitions

#### **Currently Uses Smokeless**

Students who reported that they had used smokeless tobacco on one or more days of the 30 days preceding the survey.

#### **Percent (%)**

Percentage of surveyed students who reported that they currently used smokeless tobacco.

### Youth Tobacco Survey (YTS) Definitions

#### **Current Smokeless Tobacco Use**

Percentage of students who reported that they had used smokeless tobacco on one or more days of the 30 days preceding the survey.

#### **Ever Smokeless Tobacco Use**

Percentage of students who responded that they had ever used chewing tobacco, snuff, or dip, such as Redman, Levi Garrett, Beechnut, Skoal, Skoal Bandits, or Copenhagen.

#### **Frequent Smokeless Tobacco Use**

Percentage of students who reported that they had used smokeless tobacco on 20 or more of the 30 days preceding the survey.

**High School (HS)**

Data are based on a sample of students in grades 9–12.

**Middle School (MS)**

Data are based on a sample of students in grades 6–8.

**Other Definitions****Sample Size**

Number of individuals who responded to this question.

*Note: "NA" indicates that survey data are not available.*

**95% Confidence Interval**

A range that, with 95% certainty, includes the true population prevalence.

*Note: "NA" indicates that survey data are not available.*

## Demographics

### **Adult**

Persons aged 18 years or older residing in the 50 states and the District of Columbia. These estimates exclude the U.S. Armed Forces overseas and civilian U.S. citizens whose usual place of residence is outside the United States.

### **Resident (Overall)**

Estimates of the U.S. resident population residing in the 50 states and the District of Columbia. These estimates exclude the U.S. Armed Forces overseas and civilian U.S. citizens whose usual place of residence is outside the United States.

### **Youth**

Persons aged less than 18 years residing in the 50 states and the District of Columbia [Youth estimate = Resident (Overall) estimate - Adult estimate]. These estimates exclude civilian U.S. citizens whose usual place of residence is outside the United States.

## Economics

### Acres Harvested

The number of acres of tobacco harvested.

*Note: "\*" No data reported or cash receipts were less than \$500,000.*

### Annual Gross Tax Revenue from Cigarettes (\$)

The annual gross tax revenue from cigarette sales in dollars (OW, Table 12 [Cigarette Taxes, Gross amount], Table 8 [for states not listed in Table 12]). Data are based on fiscal years ending June 30.

### Average Cost per Pack (\$)

The average cost, in dollars, of one pack of cigarettes (OW, Table 13 [Weighted average price per package], 1970-1989; Table 13B [Weighted average price per package], 1990-2005). Price estimates do not generally reflect the temporary price reductions that occur throughout the year. Price estimates do not include sales tax. Data are current as of November 1.

### Cash Receipts (\$)

The amount received from the sale of tobacco (gross value of the crop at auction).

*Note: "\*" No data reported or cash receipts were less than \$500,000.*

### Cigarette Consumption (Pack Sales per Capita)

Cigarette consumption is the tax paid per capita sales in number of packs which is based on the total number of packages taxed . It is measured as total tax paid sales divided by the states' total population using Census Bureau population numbers (OW, Table 11). The population figures used for the states are Census Bureau estimates as of July 1 of the respective fiscal years.

### Federal and State Tax as a Percentage of Retail Price (%)

The amount of federal and state tax, as a percentage of the retail price for each pack of cigarettes (OW, Table 13B [Column 2/Column 1], 1990-2005; Table 13 [Column 2/Column1], 1970-1989). Data are current as of November 1.

### Federal and State Tax Per Pack (\$)

The amount of federal and state tax combined, in dollars, for each pack of cigarettes (OW, Table 13B [Column 2], 1990-2005; Table 13 [Column 2], 1970-1989). Data are current as of November 1.

### Percentage of Gross State Product (%)

The percentage of the gross state product (GSP) that is accounted for by the manufacture of harvested tobacco.

*Note: (\*) less than \$500,000 in nominal GSP and (0) True Value.*

### Production (lb)

The number of pounds of tobacco harvested.

*Note: (\*) No data reported or cash receipts were less than \$500,000.*



**Revenue (\$)**

The income, in dollars, from the manufacture of harvested tobacco (including expenditures for tobacco company administrative offices). States with revenue less than \$1 million are not reported.

*Note: (\*) No data reported or cash receipts were less than \$500,000.*

**State Tax Per Pack (\$)**

The amount of state tax, in dollars, on each pack of cigarettes (OW, Table 7). Data are based on fiscal years ending June 30.

**Tobacco Settlement Revenue**

In 1998, the Attorneys General of 46 states signed a Master Settlement Agreement (MSA) with the four largest tobacco companies in the United States. The MSA requires tobacco companies to make annual payments to states for past tobacco-related health care costs. These amounts are reflected by year, beginning in 1999, for each state. Four states (Florida, Minnesota, Mississippi and Texas) had previously settled with tobacco manufacturers for \$40 billion.

In addition to the amount indicated for the State of Mississippi, the Jackson County Mississippi Chancery Court ordered additional funding in the amount of \$20 million annually for the Partnership for a Healthy Mississippi to focus on a youth cessation tobacco program. As of spring 2006, a review of the legality of this annual payment is underway.

# Environment

## Tobacco Use Supplement to the Current Population Survey (TUS-CPS) Definitions

### Percent of Households Protected by Smokefree Rules in Homes

The percentage of households whose respondents, aged 15 years and older, all reported that no one is allowed to smoke anywhere inside their home.

### Percent of People Protected by Smokefree Policies in Worksites

The percentage of people aged 15 years and older who reported having a worksite policy stating that smoking was not allowed in indoor public or common areas and work areas.

## Substance Abuse and Mental Health Services Administration (SAMHSA) Synar Legislation Definition

### Sales Rate

The percentage rate at which the state is not in compliance with the legislation prohibiting any manufacturer, retailer, or distributor of tobacco products from selling or distributing such products to any individual under the age of 18. The target rate for sales is 20 percent or below.

***Note:** Some states have no rate listed because of extraordinary circumstances. The Secretary of the Department of Health and Human Services is given the discretion to find a state or jurisdiction that has had difficulties meeting the compliance requirements of the regulation to be in substantial or material compliance. For example, Rhode Island faced difficult liability issues in 1997 when the New England Convenience Store Owners' Association filed a lawsuit to block the state's enforcement plan. A store clerk also filed a suit as a result of an enforcement check, which resulted in delaying the random inspections required under the Synar regulation. The state survey was also postponed for six months while liability issues were looked into by the Department of Health's legal counsel and the Attorney General's office. Because Rhode Island continued its tobacco control efforts in the midst of these difficulties, the state was considered to be in compliance with extraordinary circumstances.*

## Funding

### **Administration and Management (\$)**

Activities include strategic planning, staff recruitment and development, overseeing program grants and contracts, coordinating implementation, assessing grantee performance, fiscal management, increasing local capacity, communications with partners and stakeholders, and educating the public and decision makers. The recommended amount is 5% of the sum of the intervention amounts.

*Note: The recommended annual investments are determined by an evidence-based analysis of comprehensive state tobacco control programs published in [Best Practices for Comprehensive Tobacco Control Programs—2007](#).*

### **Amount (\$)**

Amount in dollars of actual funds for the selected state and year.

*Note: "NA" indicates the amount is not available or not applicable.*

### **Cessation Interventions (\$)**

Activities include population-based counseling and treatment programs, such as telephone quitlines; covering treatment for tobacco use under both public and private insurance; eliminating cost and other barriers to treatment for underserved populations; and making health care system changes recommended by Public Health Service guidelines.

*Note: The recommended annual investments are determined by an evidence-based analysis of comprehensive state tobacco control programs published in [Best Practices for Comprehensive Tobacco Control Programs—2007](#).*

### **Federal — Centers for Disease Control and Prevention — Office on Smoking and Health**

Funds awarded to state health departments from the Centers for Disease Control and Prevention's Office on Smoking and Health as part of the National Tobacco Control Program to help state and territorial health departments reduce the health and economic burden of tobacco use.

### **Federal — Substance Abuse and Mental Health Services Administration (SAMHSA)**

The Substance Abuse Prevention and Treatment (SAPT) Block Grant is a formula grant provided to the states and U.S. jurisdictions for the purpose of supporting the development and delivery of substance abuse prevention and treatment services nationwide. State substance abuse agencies use the prevention portion of the SAPT Block Grant funding to implement programs focused on preventing the use of alcohol, tobacco, and other drugs. Since states are not required to report block grant expenditures for tobacco use prevention, specific amounts spent for tobacco control are not available. However, states are required to report Block Grant expenditures for implementation of the Synar requirements (The Synar regulations require States to enact and enforce laws prohibiting the sale or distribution of tobacco products to individuals under the age of 18 and to conduct annual, random, unannounced inspections of retail tobacco outlets in order to assess retailer compliance with those laws). Block Grant funds may not be used to enforce youth access laws, but may be used to carry out the administrative aspect of the Synar requirements, such as sample design and the conduct of inspections. Funding amounts reported for SAMHSA reflect the SAPT Block Grant monies states reported spending to implement the Synar requirements. Please note that reported funding

amounts lag three years behind the application year, so that expenditures reported in the FFY 2008 application actually reflect funds expended in FFY 2005.

### **Funding Cycle**

Range of time that the funding is effective, shown by month and year.

### **Health Communication Interventions (\$)**

Activities include media campaigns, audience and market research, counter-marketing surveillance, support for community communication interventions, process and outcome evaluations, and promotion of available services.

*Note: The recommended annual investments are determined by an evidence-based analysis of comprehensive state tobacco control programs published in [Best Practices for Comprehensive Tobacco Control Programs—2007](#).*

### **Net Tobacco Tax Revenue**

The annual net tax revenue from tobacco sales in dollars (Orzechowski and Walker, Table 12 [Total Cigarette and Other Tobacco Taxes, Net Collections], Table 9 [for states not listed in Table 12]). Data are based on fiscal years ending June 30.

### **Non-Government Source — American Legacy Foundation**

Funds from the American Legacy Foundation, an independent national public health foundation in Washington, DC, created by the November 1998 Master Settlement Agreement.

The organization's goals are to reduce youth tobacco use, decrease exposure to secondhand smoke, reduce disparities in access to prevention and cessation services, and increase successful quit rates.

### **Non-Government Source — Robert Wood Johnson Foundation (RWJF)**

Tobacco Policy Change: A Collaborative for Healthier Communities and States is a national initiative of The Robert Wood Johnson Foundation that provides resources and technical assistance for local, statewide and regional organizations and tribal groups to advocate for effective tobacco prevention and cessation policy change. The program is designed to support tobacco control advocacy to reduce tobacco-related exposure and harm, with a particular emphasis on advocacy work in communities or states most affected by tobacco-related disease and exposure.

Program grantees will be provided funding to address tobacco policies proven to decrease use or sustain tobacco control work at the local, regional and national level. Those policies include comprehensive clean indoor air laws; increases in local or state tobacco taxes with a specific focus on allocating resources to tobacco prevention and treatment efforts or other health issues; increases in public funding of tobacco prevention and cessation programs with an emphasis in those states receiving Master Settlement Agreement funds and tobacco tax revenue; public and private cessation coverage for populations most affected by tobacco; and restrictions on tobacco advertising, product placement, and other means by which tobacco companies market their products to young people.

### **Per Capita Funding**

Amount of tobacco control funds per person, calculated as follows:

Total state funding for tobacco control in the fiscal year  
-----Divided By-----  
State population as recorded in the latest census

**Percent of Tobacco Revenue Needed to Fund at CDC Recommended Level (%)**

CDC Best Practices Annual Investment Recommendations divided by Total State Revenue From Tobacco Sales and Settlement." to "Percent of Tobacco Revenue Needed to Fund at CDC Recommended Level (%)CDC Best Practices Recommended Annual Investment divided by Total State Revenue From Tobacco Sales and Settlement.

**State and Community Interventions (\$)**

Activities include statewide and local policies and programs, chronic disease and tobacco-related disparity elimination activities, and interventions specifically aimed at influencing youth as an integrated program component and funding stream.

*Note: The recommended annual investments are determined by an evidence-based analysis of comprehensive state tobacco control programs published in [Best Practices for Comprehensive Tobacco Control Programs—2007](#).*

**State Appropriation — Excise Tax Revenue**

State-appropriated funds resulting from an increase in the state’s excise tax on tobacco to support statewide tobacco use prevention and control programs. In some cases, states have dedicated a portion of this excise tax revenue to serve as a stable funding stream for state tobacco control programs.

**State Appropriation — Other**

Any funds appropriated from state resources outside of the settlement or tobacco excise tax with the specific purpose of supporting tobacco use prevention and control activities and programs.

**State Appropriation — Settlement (Tobacco Only)**

Funds generated by settlements with the tobacco industry to resolve lawsuits by states to recover Medicaid expenditures incurred as a result of tobacco use.

The amount reflects funding specifically appropriated to any governmental agency, foundation, trust fund, board, or university for tobacco control programs for the selected state and fiscal year.

**State Funding — Other**

Funds from non-appropriated state sources.

**Subtotal: Federal/National Sources**

Total amount of funds from all federal and national organizations.

**Subtotal: State Appropriation**

Total amount of all state-appropriated funds.

**Subtotal: Intervention Components**

The sum of recommended investments for State and Community Interventions, Health Communication Interventions, and Cessation Interventions.

**Surveillance and Evaluation (\$)**

Activities include monitoring and documenting short-term, intermediate, and long-term intervention outcomes in the population to inform program and policy direction and to

ensure accountability to those with fiscal oversight. The recommended amount is 10% of the sum of the intervention amounts.

**Note:** *The recommended annual investments are determined by an evidence-based analysis of comprehensive state tobacco control programs published in [Best Practices for Comprehensive Tobacco Control Programs—2007](#).*

**Tobacco Settlement Revenue (\$)**

The National Association of Attorneys General (NAAG) provided Tobacco Settlement Revenue data for 46 states in the STATE System participating in the Master Settlement Agreement (MSA) with the four largest tobacco companies in the United States. Four states (Florida, Minnesota, Mississippi and Texas) each provide the STATE System their Tobacco Settlement Revenue data independently.

**Total CDC Best Practices Recommended Annual Investment (\$)**

The sum of recommended annual investments for State and Community Interventions, Health Communication Interventions, Cessation Interventions, Surveillance and Evaluation, and Administration and Management.

**Note:** *The recommended annual investments are determined by an evidence-based analysis of comprehensive state tobacco control programs published in [Best Practices for Comprehensive Tobacco Control Programs—2007](#).*

**Total State Revenue From Tobacco Sales and Settlement (\$)**

The sum of Net Tobacco Tax Revenue and Tobacco Settlement Revenue.

**Total Federal/National Sources**

Total amount of funds from all federal and national organizations.

**Total Funding**

Total amount of actual funds allocated for tobacco control programs.

## Health Consequences and Costs

### **Smoking-Attributable Expenditures (SAEs)**

Smoking-attributable health care expenditures are the excess personal health care costs of smokers and former smokers compared with those of never smokers.

### **Smoking-Attributable Expenditures — Ambulatory**

The annual excess ambulatory (e.g., outpatient treatment) medical services expenditures attributed to diseases where cigarette smoking is a primary risk factor.

### **Smoking-Attributable Expenditures — Drug**

The annual excess prescription drugs expenditures attributed to diseases where cigarette smoking is a primary risk factor.

### **Smoking-Attributable Expenditures — Hospital**

The annual excess hospital services expenditures attributed to diseases where cigarette smoking is a primary risk factor.

### **Smoking-Attributable Expenditures — Nursing Home**

The annual excess nursing home services expenditures attributed to diseases where cigarette smoking is a primary risk factor.

### **Smoking-Attributable Expenditures — Other**

The annual excess home-health services and durable medical equipment expenditures attributed to diseases where cigarette smoking is a primary risk factor.

### **Smoking-Attributable Mortality\* (SAM)**

Number of deaths caused by cigarette smoking. The causes of death are categorized as neoplasm, respiratory, or cardiovascular. The SAM estimates are presented as the average annual number of deaths for 1997-2001 and 1990-1994.

### **Smoking-Attributable Mortality Rate\* (SAM Rate)**

The number of deaths caused by cigarette smoking per 100,000 persons aged 35 years and older. SAM rate is age adjusted to the Year 2000 US population for the 1997-2001 estimates. The SAM rates are presented as the average annual rate for 1997-2001 and 1990-1994.

### **Smoking-Attributable Productivity Losses\***

The present value of foregone future earnings from paid labor and imputed earnings from unpaid household work for people who die prematurely from smoking-related disease. The productivity losses estimates are presented as an average annual for 1997-2001.

### **Years of Potential Life Lost\* (YPLL)**

Total number of years lost for all premature deaths caused by cigarette smoking. The YPLL estimates are presented as an average annual for 1997-2001 and 1990-1994.

### **Years of Potential Life Lost per Death\* (YPLL per Death)**

Years of potential life lost per death is the smoking-attributable years of potential life lost among adults aged 35 years and older due to premature death from cigarette smoking divided by the number of smoking-related deaths (smoking-attributable mortality). The YPLL per death estimates are presented as an average annual for 1997-2001 and 1990-1994.

**Years of Potential Life Lost Rate\* (YPLL Rate)**

The smoking-attributable years of potential life lost per 100,000 persons aged 35 years and older. YPLL Rate is age adjusted to the Year 2000 US population for the 1997-2001 estimates. The YPLL rates are presented as the average annual rate for 1997-2001 and 1990-1994.

\* The 1997–2001 average annual estimates generated from the recently updated SAMMEC uses only adults aged 35 years and older, revised disease categories, and does not include burn or secondhand smoke deaths for state estimates.



## Legislation

### **Advertisements Banned on Lottery Tickets**

**Yes:** A provision in the law clearly states that tobacco advertisements are banned from lottery tickets.

**No:** The law does not state that tobacco advertisements are banned from lottery tickets; or, the law contains no language regarding tobacco advertisements on lottery tickets.

### **Advertising Banned on Public Transportation**

**Yes:** A provision in the law states that tobacco advertisements are banned on public transportation.

**No:** The law does not state that tobacco advertisements are banned on public transportation; or, the law contains no language regarding tobacco advertisements on public transportation.

### **Advertising Banned on State Property**

**Yes:** A provision in the law states that tobacco advertisements are banned on state-owned property.

**No:** The law does not state that tobacco advertisements are banned on state-owned property; or, the law contains no language regarding tobacco advertisements on state-owned property.

### **Advertisements Banned on Video Games**

**Yes:** A provision in the law states that tobacco advertisements are banned from appearing on electronic video games, either in the design or the appearance on-screen.

**No:** The law does not state that tobacco advertisements are banned from appearing on electronic video games, either in the design or the appearance on-screen; or, the law contains no language regarding tobacco advertisements appearing on electronic video games.

### **Age Requirement of Child (#)**

The age requirement of the children that are required to be in the vehicle for the smoking ban to apply.

### **Any Advertising Restrictions**

**Yes:** A provision in the law states that there is any type of restriction specifically related to the advertising of tobacco products. The restrictions may include limitations on billboards, proximity to schools and churches and on public transportation.

**No:** The law does not state that there are restrictions related to the advertising of tobacco products including restrictions regarding billboards, schools and churches, and public transportation; or, the law contains no language regarding the restriction of tobacco advertisements.

### **Any Advertising Restriction on Tobacco Billboards**

**Yes:** A provision in the law clearly establishes any type of restrictions, including bans, specifically on tobacco billboard advertisements.

**No:** The law does not establish or list restrictions specifically on tobacco billboard advertisements; or, the law contains no language regarding advertisements on tobacco billboards. Because the STATE System tracks only tobacco-specific law, general state restrictions on outdoor advertising, are not recorded here unless they specifically relate to tobacco advertising.

**Banned from Locations**

**Yes:** A provision in the law states that vending machines are not allowed in areas accessible to youths. Specific areas include bars, factories, and other places not usually frequented by youths.

**Note:** The law allows vending machines in areas accessible to youths, or the legislation does not have any wording regarding the placement of vending machines.

**Banning of Tobacco Billboards**

**Yes:** A provision in the law states that tobacco billboard advertisements are banned.

**No:** The law permits tobacco billboard advertisements; or, the law contains no language regarding tobacco billboard advertisements.

**Bars**

Bars are stand-alone establishments that primarily serve alcohol for consumption on the premises.

**Case Citation(s)**

The citations for cases that address matters of related to preemption of local ordinances on clean indoor air in restaurants, private worksites, and government worksites are listed in the legal citation format in this field. Cases that deal solely with enforcement of clean indoor air provisions are not listed.

**Case Holding Date(s)**

This field provides the date, in an eight-digit format (month/date/year), that the decision cited in the case citations field was made by the court. This may be the same as, or earlier than, the publication date of the opinion or order.

**Case Law Available (y/n)**

A "Yes" in this field indicates that there is relevant case law that explicitly relates to the preemption of local clean indoor air ordinances related to restaurants, private worksites, and government worksites. A "No" indicates that there is no relevant case law and that the remaining fields should appear blank.

**Case Law Comments**

This field contains any comments about the status of the case law. When a case is known to be on appeal to a higher court, this information will be reflected in the comments. In addition, anything unique about the case law will be reflected in this field.

**Case Law Preemption (y/n)**

This field reflects whether the holdings explicitly stated by the courts in available case law indicates that either: yes, the courts state that there is preemption of more stringent local clean indoor air ordinances applicable to restaurants, private worksites, and government worksites, or no, the courts state that more stringent local ordinances are not preempted.

**Case Summary Text**

The case summary text field is reflects a short synopsis of the court decision(s) related to preemption. If the court decision reflects opinions about subjects other than clean indoor air preemption in restaurants, private worksites, or government worksites, this information is not captured. Where possible, the text for the synopsis is drawn verbatim from the case syllabus or the court opinion.

**Chewing Tobacco (cents per ounce)**

The excise tax, in cents per ounce, levied on chewing tobacco. The chewing tobacco tax is only provided if this amount is different from the excise tax generally imposed on smokeless tobacco.

**Cigarette Sales — Youth Access**

**Yes:** A provision in the legislation clearly preempts local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation regarding sales to youth OR there is an omnibus preemption.

**No:** The legislation clearly states, with anti-preemptive language that it does not prevent local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation OR contains no language referring to preemption.

**Cigarette Tax**

Total state excise taxes per pack: Taxes are generally levied in mills per cigarette or mills per pack. Each mill is equal to two cents when the tax is per pack. If the tax is in mills per pack, the number of mills is multiplied by two cents.

Total state excise tax per cigarette: Each mill equals 1/10th of a cent. To arrive at a tax per cigarette multiply the number of mills times 10 and then multiply that number by the number of cigarettes in a pack (20). Example: If the tax is .5 mills per cigarette you multiply  $.5 \times 10 = 5$  cents and then multiply  $5 \times 20 = 100$  cents or \$1.00. The final answer will be in cents so 280 equals \$2.80.

**Cigarette Vending Machines — Youth Access**

**Yes:** A provision in the legislation clearly preempts local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation regarding vending machines OR there is an omnibus preemption.

**No:** The legislation clearly states, with anti-preemptive language that it does not prevent local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation OR contains no language referring to preemption.

**Citation**

Standard form used to reference a law. Once a bill has been approved, the law is then codified in the state statutes (state code). The citation is the location of that law in the state statutes. Most law libraries, including the Library of Congress, house the bound statutes for all the states. Current and historical state statutes are also available through various online legal research database services. In addition to the provisions of the law, the state statute will list the legislative history of that bill (to be found in the state sessions laws) and may also show the enacted date of the bill. This citation is entered in to the STATE System using The Bluebook: A Uniform System of Citation (<http://www.legalbluebook.com/>)\* (Harvard Law Review, 1996) as a standard format.

\*Links to non-federal organizations found at this site are provided solely as a service to our users. These links do not constitute an endorsement of private products or services by CDC or the Federal Government. The CDC is not responsible for the content of the individual organization Web pages found at these links.

**Commercial Day Care Centers**

A facility that is not within a private home, used to provide care for children for a period of time during the day.

**Distribution**

**Yes:** A provision in the legislation clearly preempts local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation regarding distributing, furnishing, or giving tobacco OR there is an omnibus preemption.

**No:** The legislation clearly states, with anti-preemptive language that it does not prevent local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation OR contains no language referring to preemption.

**Enforcement Authority**

**Yes:** A provision in the law states that some type of enforcement authority has been designated to enforce the provisions. This can be a department, agency, office, governing body or any other entity.

**No:** The law does not state that an agency, department, office, governing body, or some other entity has been designated to enforce the provisions of the legislation.

**Enforcement Authority (Type)**

The enforcement authority as stated in the law. If the law does not state that an agency, department, office, governing body, or some other entity has been designated to enforce the provisions of the law, this field will be blank.

**Executive Order**

**Yes:** The governor issued an executive order to establish the restrictions.

**No:** The governor has not issued an Executive Order to establish smoking restrictions.

**Fee per Machine (min/max)**

A provision in the statute specifies a dollar amount a person or company must pay for the machine operator fee. The minimum fee is the least amount a person or company must pay; the maximum fee is the greatest amount a person or company must pay.

**Fire-Safe Cigarettes**

Whether or not the state law requires that only fire safe cigarettes may be sold in the state.

- **No:** There is not any provision in the law that clearly addresses fire safe cigarette sales in the state.
- **Yes:** The law requires that only cigarettes that have been established as fire safe are permitted to be legally sold in the state.

**Fire-Safe Cigarettes Labeling Requirement**

Whether or not the state law requires manufacturers to label their cigarettes as "fire safe."

- **No:** The law does not require or specify that manufacturers label cigarettes as "fire safe."
- **Yes:** The law requires manufacturers to use a fire safe cigarettes testing standard, such as the testing standard established by the American Society for Testing and Materials (ASTM), to ensure the cigarettes are fire-safe.

### **Fire-Safe Cigarettes Standard**

Whether or not the state law requires manufacturers to demonstrate the cigarettes to be sold in the state adhere to a set standard of fire safety compliance.

- **No:** The law does not require or specify the fire safety standard manufacturers must use to establish their cigarettes are fire safe for sale.
- **Yes:** The law requires manufacturers to label cigarettes that have been approved as fire safe.

### **Fire-Safe Cigarettes Standard (Type)**

The type of fire safe testing standard manufacturers must use to be approved to sell fire safe cigarettes in the state. Description of the fire safe cigarette testing standard required in the law.

### **Government Multi-Unit Housing**

Government multi-unit housing includes public housing projects and other multi-unit housing (multi-unit residences, apartments, condominiums, etc.) owned or operated by a public housing or other government entity.

- Common areas in multi-unit housing facilities include but are not limited to: lobbies, stairways, hallways and entrances/exits.

### **Government Worksites**

Government worksites are work areas that are owned, leased, or operated by the state.

### **Government Worksite Preemption**

**Yes:** A provision in the legislation clearly prevents local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation with regard to government worksites.

**No:** The legislation clearly states, with anti-preemptive language, that it does not prevent local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation with regard to government worksite, OR contains no language referring to preemption.

### **Home-based Day Care Centers**

A facility used to provide care, within a private residence, for children for a period of time during the day.

### **Hotels and Motels**

An establishment that provides temporary lodging to paying guests.

- Common areas of hotels and motels include, but are not limited to: lobbies, stairways, hallways and entrances/exits.
- Casino areas of hotels and motels include, but are not limited to: slots, blackjack, poker, roulette and other games of chance. Casinos do not include stand alone card rooms, horse or dog racing tracks, or off-track betting facilities.
- Native American Casinos are casinos on federally designated sovereign land that are owned and operated by the associated tribe.

**Includes Chewing Tobacco**

**Yes:** A provision in the statute states that the required license for vendors includes the sale of chewing tobacco.

**No:** The statute does not state that the required license for vendors includes the sale of chewing tobacco.

**Includes Cigarettes**

**Yes:** A provision in the statute states that the required license for vendors includes the sale of cigarettes.

**No:** The statute does not state that the retail license includes the sale of cigarettes.

**Includes Both Cigarettes and Chewing Tobacco**

**Yes:** A provision in the statute states that the required license for vendors includes the sale of cigarettes and chewing tobacco.

**No:** The required license may include only cigarettes or only chewing tobacco or there may be no required license for either.

**Level of Offense**

Smoking in a vehicle is a primary or a secondary offense

- **Primary offense:** A driver may be stopped and cited for smoking in a vehicle.
- **Secondary offense:** A driver must be stopped for another traffic offense to be cited for smoking in a vehicle.

**License Fee (min/max)**

A provision in the statute specifies a dollar amount of the license fee. The minimum license fee is the least amount any retailer must pay to receive a license for over-the-counter sales. The maximum fee is the greatest amount any retailer would have to pay to receive a license for over-the-counter sales.

**License Fee Required**

**Yes:** A provision in the statute states that a license or permit fee must be paid by any person engaged in selling tobacco products over-the-counter or through vending machines.

**No:** The statute states that any person engaged in retail sales of tobacco products is not required to pay a fee to receive the license; or the statute contains no language regarding a required license fee.

**License Required**

**Yes:** A provision in the statute clearly states that any person engaged in the business of selling tobacco products over-the-counter direct to a consumer or through vending machines must obtain a license or permit prior to conducting business.

**No:** The statute states that persons engaged in the sale of tobacco products over-the-counter or through vending machines are not required to obtain a license or permit; or the statute contains no language regarding retail licenses.

**License Suspension and/or Revocation**

The provision states that a violation of the provisions of the legislation may result in the suspension and/or revocation of the business license for retail sale of tobacco products.

- **Suspension:** A provision in the legislation states that a violation of the legislation may result in the business having its license suspended for a specified period of time but not revoked.
- **Revocation:** A provision in the legislation states that a violation of the legislation may result in the business having its license revoked but not suspended.
- **Both:** A provision in the legislation clearly states that a violation of the legislation may result in the business having its license suspended and revoked.
- **None:** No provision in the legislation stating a violation will result in suspension or revocation of the business license.

#### **Limited Placement**

**Yes:** A provision in the law states that vending machines may not be placed in areas accessible to youth, but the legislation does not specify which areas are inaccessible to youth OR if the law states that vending machines may be placed in areas accessible to youth only if certain other restrictions are in place which may include, but are not limited to, any one or combination of the following restrictions: supervision, required locking device, placement banned in schools.

**No:** The law already bans vending machines from areas accessible to youths, or the law does not limit the placement of vending machines.

#### **Local Government Covered**

**Yes:** A provision in the legislation clearly states that worksites under the control of political subdivision of the state (e.g. mayor's office) are covered by the state legislation.

**No:** The legislation clearly does not state that worksites under the control of political subdivisions of the state are covered by the legislation; or, the legislation contains no language relating to local government coverage.

#### **Locking Device**

**Yes:** A provision in the law states that vending machines require a locking device or tokens that must be obtained from the retailer to operate the machine.

**No:** The law does not state that vending machines have a locking device or tokens that must be obtained from the retailer OR the law is silent.

#### **Machine Operator Fee (min/max)**

A provision in the statute specifies a dollar amount a person or company must pay for the machine operator fee. The minimum fee is the least amount a person or company must pay; the maximum fee is the greatest amount a person or company must pay.

#### **Maximum Percentage of Sleeping Rooms Designated**

The maximum percentage of sleeping rooms the law requires to be designated as smoking or non-smoking in a hotel or motel. This field may be blank if there is not any provision in the law that clearly requires any type of room designation.

#### **Maximum Size Near Churches (sq. ft)**

The maximum size, in square feet, the tobacco billboard can be when located near a church.

#### **Maximum Size Near Schools (sq. ft.)**

The maximum size, in square feet, of a tobacco billboard when it is located near a school.

**Minimum Age**

**Yes:** A provision in the law clearly states that there is a minimum age that an individual must reach before retailers can legally sell cigarettes and other tobacco products to him/her.

**No:** The law does not state that there is a minimum age that an individual must reach before retailers can legally sell cigarettes or other tobacco products to him/her OR contains no language regarding minimum age of sale.

**Minimum Age in Years**

The minimum age in years that an individual must reach before the retailer can legally sell cigarettes and other tobacco products to him/her.

**Minimum Distance Away from Churches (ft)**

The minimum distance away, in feet that the tobacco billboard must be from a church.

**Minimum Distance Away from Schools (ft)**

The minimum distance away, in feet, a tobacco billboard must be from a school.

**Minimum Number of Employees**

**Yes:** A provision in the legislation clearly specifies that the restriction on smoking in the worksite is only effective for businesses with more than a specified number of employees.

**No:** The legislation does not specify a minimum number of employees required for the smoking restriction to be effective.

**Minimum Number Required**

The actual number of employees required for the policy to be in effect.

**Minimum Percentage of Sleeping Rooms Designated**

The minimum percentage of sleeping rooms the law requires to be designated as smoking or non-smoking in a hotel or motel. This field may be blank if there is not any provision in the law that clearly requires any type of room designation.

**Minimum Seating Capacity**

**Yes:** A provision in the legislation clearly specifies that the restriction on smoking applies only to restaurants with a specified minimum seating capacity.

**No:** The legislation does not specify a minimum seating capacity for the legislation to be in effect.

**Minimum Seating Capacity Number**

The actual number of seating necessary for the policy to be in effect.

**New**

This column displays legislation that has been enacted but will not be effective until a later date.

**Non-Retaliation Provision**

**Yes:** A provision in the legislation that states an employee may not be subject to retaliation for enforcing or attempting to enforce the provisions of the legislation.

**No:** The legislation does not state that an employee is protected from retaliation for enforcing or attempting to enforce the provisions of the legislation.



**Other Sites**

Other sites with smokefree indoor air restrictions include malls, grocery stores, enclosed arenas, public transportation, hospitals, and prisons. Grocery stores, in legislative language, refers to all retail stores.

**Over-the-Counter**

Tobacco products are sold in face-to-face transactions direct to an individual consumer.

**Penalty (min/max)**

A provision in the statute specifies a monetary fine. If the statute states "at least X amount of dollars," X is the minimum fine and there is no maximum. If the statute states "up to X amount of dollars," zero is the minimum fine and X is the maximum fine. If the statute states an exact fine (and not part of a range), that dollar amount is both the minimum and maximum fine. If the statute states a range of fines, the lowest stated fine is the minimum and the highest stated fine is the maximum.

**Penalty to Business**

**Yes:** A provision in the law that establishes and lists the fines, imprisonment or other penalties to a business that will result from a first violation of the legislation.

**No:** The law does not establish and list the fines, imprisonment, or other penalties to a business that will result from a first violation of the legislation.

**Penalty to Business (Type)**

The type of penalty to be incurred by the business for the first violation of the provision of the law. Types of penalties include misdemeanors, fines, petty offenses, infractions, etc. If there is no penalty to business then this field will be blank, meaning the law does not establish and/or list the fines, imprisonment, or other penalties to a business from a violation of the legislation.

**Penalty to Smoker**

**Yes:** A provision in the legislation clearly establishes and lists the fines, imprisonment, or other penalties to a smoker for a violation of the legislation.

**No:** The legislation does not establish or list the fines, imprisonment or other penalties to the smoker that will result from a violation of the legislation.

**Penalty to Youth**

**Yes:** A provision in the law clearly establishes and lists the fines or other penalties to a youth for illegal purchase, use or possession.

**No:** The law does not establish or list the fines or other penalties to the youth that will result from a violation of the legislation.

**Penalty to Youth (Type)**

The type of penalty to be incurred by a youth for the first violation of the provision of the legislation. Types of penalties include misdemeanors, fines, petty offenses, infractions, etc. This field may be blank if the legislation does not establish and/or list the fines, imprisonment, or other penalties to a youth within the sales to youth law(s).

**Percent Smokefree Seating**

The percentage of seats that must be designated as nonsmoking.

**Percent Value**

Smokeless tobacco products tax collected at the manufacturer or wholesale level as a percentage of the product price.

**Personal Vehicles**

An enclosed self-propelled means of conveyance, such as a car or truck, which is owned by a private owner for personal use.

**Possession Prohibited**

**Yes:** A provision in the law states that it is illegal for persons who have not yet reached the legal age of sale to possess cigarettes and other tobacco products.

**No:** The law contains no language regarding possess OR the law states that it is not illegal for youths (or persons who have not yet reached the legal age of sale) to possess cigarettes and/or other tobacco products in the course of their employment.

**Preemption**

**Yes:** A provision in the legislation that prevents local jurisdictions from enacting more stringent restrictions or restrictions that varies from the state law.

**No:** The legislation clearly states, with anti-preemptive language that it does not prevent local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation OR contains no language referring to preemption.

**Private Multi-Unit Housing**

Private-owned housing includes apartment buildings, condominiums and other types of multi-unit housing that are for sale or rent, and owned or operated by a non-government owner, partnership or corporation.

- Common areas in multi-unit housing facilities include but are not limited to: lobbies, stairways, hallways and entrances/exits.

**Private Worksites**

Private worksites are places of work other than a building leased, owned, or operated by the state.

**Private Worksite Preemption**

**Yes:** A provision in the legislation clearly prevents local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation with regard to private worksites.

**No:** The legislation clearly states, with anti-preemptive language, that it does not prevent local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation with regard to private worksites OR contains no language referring to preemption.

**Purchase Prohibited**

**Yes:** A provision in the law states that it is illegal for persons who have not yet reached the legal age of sale to purchase cigarettes and other tobacco products.

**No:** The law contains no language regarding purchase OR the law states that it is not illegal for youths (or persons who have not yet reached the legal age of sale) to purchase cigarettes and/or other tobacco products in the course of their employment.

**Renewal Frequency (years)**

A provision in the statute specifies how frequently, in years, the retail license must be renewed or when a license expires.

**Renewal Required**

**Yes:** A provision in the statute clearly states that any person engaged in selling tobacco products over-the-counter or through vending machines must periodically renew their license or permit.

**No:** The statute clearly states that persons licensed to sell tobacco products over-the-counter or through vending machines are not required to periodically renew their license or permit; or, the statute contains no language regarding license renewal or expiration dates.

**Requires a Child in a Safety Seat**

Whether or not the law requires a child in a child safety seat in the vehicle for the smoking ban to apply.

- **Yes:** The law requires a child in a safety seat in the vehicle for the smoking ban to apply.
- **No:** The law does not require a child in a safety seat in the vehicle for the smoking ban to apply.

**Requires a Child in the Vehicle**

Whether or not the law requires children in the vehicle for the smoking ban to apply.

- **Yes:** The law requires a child in the vehicle for the smoking ban to apply.
- **No:** The law does not require a child in the vehicle for the smoking ban to apply.

**Requires More Than One Person in the Vehicle**

Whether or not the law requires multiple people in the vehicle for the smoking ban to apply.

- **Yes:** The law requires more than one person in the vehicle for the smoking ban to apply.
- **No:** The law does not require more than one person in the vehicle for the smoking ban to apply.

**Restaurants**

Restaurants are establishments that serve food for consumption on the premises. Restaurants include patron areas, bar areas, and employee areas.

**Restaurant Bar**

Bar areas of a restaurant.

**Restaurant Preemption**

**Yes:** A provision in the legislation clearly prevents local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation with regard to restaurants.

**No:** The legislation clearly states, with anti-preemptive language, that it does not prevent local jurisdictions from enacting more stringent restrictions than the state legislation, or restrictions that vary from the state legislation with regard to restaurants OR contains no language referring to preemption.

**Restriction in Effect at All Times**

**Yes:** The restriction is always in effect, regardless of whether or not children are present.

**No:** The legislation clearly states a time period when the restriction is not in effect (i.e. when children are present).

**Restriction in Effect Only During Business Hours**

**Yes:** The legislation clearly states a time period when the restriction is in effect (i.e. during business hours, when children are present).

**No:** The restriction is always in effect, regardless of whether or not children are present.

**Restrictions on Access**

**Yes:** A provision in the law states that there are some sort of restrictions on access to vending machines.

**No:** The law does not have any restrictions regarding access to vending machines.

**Restriction on Billboards Near Churches**

**Yes:** A provision in the law establishes restrictions on tobacco billboard advertisements near churches.

**No:** The law does not establish or list restrictions on tobacco billboard advertisements near churches; or, the law contains no language regarding tobacco billboard advertisements near churches.

**Restriction on Billboards Near Schools**

**Yes:** A provision in the law establishes restrictions on tobacco billboard advertisements near schools.

**No:** The law does not establish or list restrictions on tobacco billboard advertisements near schools; or, the law contains no language regarding tobacco billboard advertisements near schools.

**Signage Required**

**Yes:** A provision in the law clearly requires the posting of signs on the premises describing the provisions of the law.

**No:** The law does not require the posting of signs describing the provisions of the law or contains no language pertaining to signage.

**Sleeping Room Designation**

Whether or not the law requires a certain percentage of sleeping rooms in a hotel or motel to be designated as smoking or non-smoking rooms.

- **Yes:** A provision in the law clearly establishes a certain percentage of guest sleeping rooms that are to be designated smoking or non-smoking.
- **No:** The law does not require a certain portion of guest sleeping rooms that are to be designated smoking or non-smoking. Common areas of hotels and motels include, but are not limited to: lobbies, stairways, hallways and entrances/exits.

**Sleeping Room Designation (Type)**

The type of room designation the law requires for sleeping rooms in a hotel or motel.

- **Smoking Room:** The law clearly requires rooms to be designated smoking.
- **Non-Smoking Room:** The law clearly requires the rooms to be designated non-smoking.

This field may be blank if there is not any provision in the law that clearly requires any type of room designation.

**Smokeless Tax**

**Yes:** A provision in the law clearly states that an excise tax is levied on smokeless tobacco products.

**No:** The law does not state that there is an excise tax levied on smokeless tobacco products.

**Smokeless Warning Labels on Billboards**

**Yes:** A provision in the law states that warning labels must be placed on billboard advertisements for smokeless tobacco products.

**No:** The law does not state that warning labels must be placed on billboard advertisements for smokeless tobacco products; or, the law contains no language regarding warning labels on billboard advertisements for smokeless tobacco products.

**Smokeless Warning Labels on Other Advertisements**

**Yes:** A provision in the law states that warning labels must be placed on advertisements, other than billboard advertisements, for smokeless tobacco products.

**No:** The law does not state that warning labels must be placed on advertisements for smokeless tobacco products; or, the law contains no language regarding warning labels on advertisements, other than billboard advertisements, for smokeless tobacco.

**Snuff (cents per ounce)**

The excise tax, in cents per ounce, levied on snuff if different from the excise tax generally imposed on smokeless tobacco.

**Summary Preemption (y/n)**

This variable is calculated by combining the statutory preemption variable and the case law preemption variable according to the following logic:

Statutory Preemption	Case Law Preemption	Summary Preemption
No	No	No
No	Yes	Yes
Yes	No	No
Yes	Yes	Yes
Yes	Lower Court: No Higher Court: Yes	Yes
Yes	Lower Court: Yes Higher Court: No	No
No	Lower Court: Yes Higher Court: No	No
No	Lower Court: No Higher Court: Yes	Yes
Yes	Two Equal Courts: One Yes and One No	Yes
No	Two Equal Courts: One Yes and One No	No

### **Supervision**

**Yes:** A provision in the law states that vending machines are required to be supervised by an employee of the facility where the vending machine is placed.

**No:** The law does not state that an employee of the facility where the vending machine is located must supervise the vending machines.

### **Type of Restriction**

Indoor air restrictions on smoking range from least restrictive to most restrictive:

- **None:** There is no provision in the legislation that clearly requires any type of restriction on smoking for the specified site or a provision in the legislation clearly states that a specific site may be designated as a smoking area in its entirety.
- **Designated areas:** The legislation clearly requires designated smoking areas for the specified site.
- **Separate ventilated areas:** The legislation clearly requires that smoking areas must have separate ventilation for the specified site.
- **Banned:** The legislation clearly states that no smoking is allowed in the specified site.

### **Type of Restriction in Employee Area**

The level of restriction in the law on smoking in areas reserved for employees, separate from patrons.

### **Type of Restriction in Patron Area**

The level of restriction in the law on smoking in areas frequented by patrons.

### **Type of Restriction (Summary)**

The overall level of restriction in the law on smoking within indoor areas.

### **Type of Tax**

Smokeless tobacco tax is levied either in cents per ounce or on one of two levels: to the manufacturer or to the wholesaler. The manufacturer is the first owner of the tobacco products; the wholesaler is the first distributor of the tobacco products. In some cases the language in the law does not specifically state whether the manufacturer or the wholesaler is responsible for the tax. In these cases the exact language in the law is (e.g., product value, factory list price, cost) is provided.

### **Use Prohibited**

**Yes:** A provision in the law states that it is illegal for persons who have not yet reached the legal age of sale to use cigarettes and other tobacco products.

**No:** The law contains no language regarding use OR the law states that it is not illegal for youths (or persons who have not yet reached the legal age of sale) to use cigarettes and/or other tobacco products in the course of their employment.

**Vending Machines - Licensure**

Coin or token operated machine that dispenses tobacco products.

**Weight Requirement of Child (#)**

The weight requirement of the children that are required to be in the vehicle for the smoking ban to apply.

**Written Policy Required**

**Yes:** A provision in the legislation clearly requires that the employer establish and circulate written policies describing the provisions of the legislation.

**No:** The legislation does not require written policies that outline the provisions of the legislation.