



FOR IMMEDIATE RELEASE
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Contact: Chastity Mitchell
Smoke-Free Tennessee
(615) 308-0505

Tennessee Smoke-Free Workplace Legislation Frequently Asked Questions

- ✓ **There were many versions of smoke-free workplace bills this session, which bill passed both the House and Senate and is being sent to the Governor for signature?**

House Bill 1851 – HB1851 passed the House on May 31 with 84 Ayes and 10 Noes. The original language of the bill was **amended and completely replaced** with stronger smoke-free workplace requirements. That amendment is House Amendment No. 2.

Senate Bill 1325 – SB1325 passed the Senate on May 24 with 22 Ayes and 5 Noes. The language of this bill was **amended and replaced** with language mirroring HB1851. The Senate concurred with the amended House Bill on May 31 with 29 Ayes and 2 Noes.

- ✓ **Where can I find a copy of the amended bill that will become law with the Governor's signature?**

<http://www.legislature.state.tn.us/bills/currentqa/Amend/HA0739.pdf>

- ✓ **What exemptions are specified in HB1851/SB1325?**

- age-restricted venues (these venues must be restricted to persons 21 and up at all times)
- 25% of hotel and motel rooms designated as smoking
- tobacco retail shops, tobacco manufacturers, importer or wholesalers
- private businesses with three or fewer employees, smoking will be limited to areas where the general public is not invited
- private clubs
- commercial vehicles when such vehicle is occupied solely by the operator
- open air establishments, including patios, porches or decks; including any area enclosed by garage type doors on one or more sides when all such doors are completely open
- nursing homes
- private homes except when used as a child care facility

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SMOKE-FREE FAQ cont'd

✓ **Are bars exempt?**

To be exempt under this law, an establishment must restrict access to persons who are twenty-one (21) years of age or older at all times. This means that bars within restaurants, bowling alleys and hotels must be smoke-free unless the entire establishment limits access to persons 21 or older.

✓ **In order to allow smoking, can an establishment be smoke-free during the day, and limit access to 21 and up at night?**

No, an establishment must limit access to patrons 21 and up at all times to be exempt from this law.

✓ **Will all restaurants be smoke-free?**

All restaurants in Tennessee will be smoke-free unless they choose to limit access to people 21 and older at all times. This includes restaurants with bars, as well as chain and hotel restaurants. Restaurants can allow smoking on outdoors patios.

✓ **Are establishments with separately ventilated smoking rooms exempt?**

No. Although an earlier version of this bill did call for this exemption, HB1851/SB1325 **does not** allow ventilated smoking rooms.

✓ **When will this law take effect?**

October 1, 2007

✓ **Who will implement and enforce compliance?**

The Tennessee Department of Health and the Tennessee Department of Labor

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ABOUT

Smoke-Free Tennessee is comprised of Campaign for a Healthy and Responsible Tennessee (CHART), American Cancer Society, American Lung Association, Tennessee Public Health Association, Tennessee Medical Association, American Heart Association, Children's Hospital Alliance of Tennessee, Tennessee Primary Care Association and other partner organizations dedicated to creating smoke-free workplaces for all Tennesseans. Learn more about Smoke-Free Tennessee at www.smokefreetn.org.