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Kansas is smoke-free beginning July 1.

On July 1, 2010 the Kansas Indoor Clean Air Act will take effect. Effective July 1, smoking is prohibited in Kansas workplaces, bars and restaurants.

For more information

Visit our Web site www.KSsmokefree.org.

Or contact the Kansas Department of Health and Environment at 1-877-416-8547 or by e-mail KSsmokefree@kdheks.gov.

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Kansas Department of Health and Environment

Bureau of Health Promotion
1000 SW Jackson Ave., Ste 230
Topeka, KS 66612



Kansas Smoke-Free

INDOOR CLEAN AIR ACT

Business Guide



Smoke-free Locations

Effective July 1, 2010, smoking is prohibited in most of the following indoor locations in Kansas:

- Public places
- Places of employment
- Restaurants
- Bars
- Within 10 feet of any doorway, open window or air intake where smoking is prohibited

Any provision in place by local ordinance that is stricter than state law remains fully in effect. The state law defines minimum protection; it does not nullify local smoke free provisions that are stricter.

Steps for Businesses

- 1.** Adopt a written smoking policy to prohibit smoking in all areas of the place of employment and communicate this policy to all current employees and all new employees upon hiring. A sample policy is available at www.KSsmokefree.org.
- 2.** Remove all ashtrays and matches.
- 3.** Post a no smoking sign. Signs are available for free! Download a printable sign at www.KSsmokefree.org.
- 4.** Ask any person violating the law to stop smoking. Remind your customers of the law and politely explain they must step outside to smoke. Also train your staff regarding what to say to customers, for example: "We're now smoke-free, you'll have to put out your cigarette," or "The new law prohibits smoking indoors. Thanks for your cooperation."
- 5.** Refuse service to any person who continues to violate the law.
- 6.** Ask any person violating the law to leave.
- 7.** Notify law enforcement if the person refuses to comply.

Help Employees Quit Smoking

The smoke-free state law may encourage many people to quit smoking. You can help your employees quit by:

- Promoting the Kansas Tobacco Quitline 1-800-QUIT-NOW. A trained counselor will work with your employees during one-on-one phone calls to create a plan to quit. This service is free and intake is available 24 hours a day. Callers will receive five counseling sessions.
- Offering prescription and over-the-counter smoking cessation aids (patches and gum)
- Eliminating or minimizing co-pays or deductibles for smoking cessation medications
- Promoting local cessation resources available
- Offering incentives to achieve and maintain healthy lifestyles

If your business is interested in ordering smoking cessation materials or scheduling a visit to your workplace, please contact Matthew Schrock, Cessation Coordinator with the KDHE Tobacco Use Prevention Program, 316-337-6056 or mschrock@kdheks.gov.

Fines

Owners/operators of businesses where smoking is prohibited and individuals who violate the Indoor Clean Air Act are subject to the following fines:

- 1st violation = not more than \$100
- 2nd violation within 1 year = not more than \$200
- 3rd and additional violations within 1 year = not more than \$500 per violation

Note: Each individual smoking in an establishment where smoking is prohibited is a separate violation for the business.

Exempt Locations

The following locations are exempt from the Indoor Clean Air Act (unless prohibited by local law):

- Tobacco shops that derive not less than 65% of gross receipts from the sale of tobacco
- Gaming floors of lottery gaming facilities or racetrack gaming facilities
- Up to 20% of hotel/motel sleeping rooms
- Designated indoor areas of private outdoor recreational clubs (i.e. golf clubs, hunting clubs) where minors are prohibited
- Designated smoking areas of adult care homes and long-term care facilities
- Class A and B private clubs licensed before January 1, 2009, that notify the Secretary of the Kansas Department of Health and Environment by September 28, 2010, of their intent to allow smoking. The notification form with directions is available at www.KSsmokefree.org.
 - A Class A club is a nonprofit social, fraternal or war veteran's club operated for the exclusive use of members and their families and guests. A Class B club is operated for profit by a corporation, partnership or individual. Both Class A and B clubs are licensed by the Director of the Kansas Alcoholic Beverage Control (ABC), a division of the Kansas Department of Revenue.