



# Kansas Smoke-Free

INDOOR CLEAN AIR ACT

## Kansas Indoor Clean Air Act Fact Sheet

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**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
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**Effective July 1, 2010, businesses will be required to post signs stating that smoking is prohibited by state law. These signs are available for free by download at [www.KSsmokefree.org](http://www.KSsmokefree.org) or by mail upon request.**

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**Fines for owners/operators and smokers:**

- 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.*

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**The following locations are exempt from the Indoor Clean Air Act:**

- 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 and directions are available at [www.KSsmokefree.org](http://www.KSsmokefree.org)
  - Private homes or residences not used as a day care home
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**Effective July 1, 2010, it will be unlawful to sell cigarettes or tobacco products by a self-service display except in a vending machine that is permitted under HB 2221, Sec. 7, subsection (t) or in a tobacco specialty store. This ensures tobacco products are safely placed behind the counter so minors will not have access.**

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**Where local clean indoor air laws have provisions stricter than the state law, those local provisions will prevail. Where local laws have provisions less strict than the state law, state law provisions will prevail effective July 1, 2010.**