What is Secondhand Smoke?

Is the law really necessary?

In issuing a groundbreaking report on secondhand smoke in 2006, former U.S. Surgeon General Richard Carmona said, “The debate is over. The science is clear: Secondhand smoke is not a mere annoyance, but a serious health hazard that causes premature death and disease in children and nonsmoking adults.”

Secondhand smoke contains more than 4,000 chemicals, including at least 69 carcinogens. The Surgeon General found that secondhand smoke is a proven cause of lung cancer, heart disease, serious respiratory illnesses such as bronchitis and asthma, low birth weight and sudden infant death syndrome. The Surgeon General also found that secondhand smoke is responsible for tens of thousands of deaths in the United States each year.

There is no safe level of exposure, and only smoke-free laws provide effective protection from secondhand smoke.

Nebraska Clean Indoor Air Act of 2008

The Nebraska Clean Indoor Air Act, which is effective June 1, 2009, prohibits smoking in virtually all workplaces in Nebraska. The law protects workers from secondhand smoke in all indoor areas of worksites and public places including, but not limited to warehouses, factories, retail establishments, office buildings, restaurants, bars, bowling alleys, private clubs and keno establishments. The law reflects Nebraska’s commitment to ensuring that workers and the public are protected from secondhand smoke.

WEB
smokefree.ne.gov

PHONE
1-877-633-7331

E-MAIL
smoke.free@dhhs.ne.gov

AA/EOE/ADA
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DHHS
NEBRASKA

SMOKEFREE nebraska

So long smoke. Hello clean air.
June 1, 2009

What You Need to Know

Where is smoking prohibited?

The law states that smoking shall not be permitted and that no person shall smoke in the following areas:

- Enclosed indoor workspaces and indoor public places. This includes, but is not limited to, any work area, employee breakroom, restroom, conference room, meeting room, classroom, employee cafeteria, and hallway.
- Most guest rooms in lodging facilities. These facilities may designate up to 20 percent of guest rooms as smoking. The remainder of indoor areas at lodging facilities must be smoke-free.

Where does the law permit smoking?

Smoking is permitted in the following:

- Up to 20 percent of hotel rooms;
- Tobacco-only retailers defined as a "store that sells only tobacco and products directly related to tobacco. Products directly related to tobacco do not include alcohol, coffee, soft drinks, candy, groceries or gasoline.";
- Facilities researching the health effects of smoking and
- Private residences, except when a residence is being used as a licensed child care program.

Where can I get information on quitting?

The Nebraska Tobacco Quitline is sponsored by the Nebraska Department of Health and Human Services' Tobacco Free Nebraska program. The toll-free Quitline, 1-800-784-8669 (1-800-QUIT-NOW), gives Nebraska residents access to counseling and support services. Calls to the Quitline are free.

There are also local tobacco cessation programs available across the state that may be helpful. For a list of known programs, visit: smokefree.ne.gov and click on "Quitting Tobacco."

How can I file a complaint?

Employees and the public may report any suspected violation of the smoke-free law to the Nebraska Department of Health and Human Services by e-mailing: smoke.free@dhhs.ne.gov. Complaints may also be reported to a local health department. Anyone reporting a suspected violation has the option of remaining anonymous. The phone numbers of local health departments may be found in the government section of your telephone book.

What are the penalties?

A person who smokes in a place of employment or a public place in violation of the Nebraska Clean Indoor Air Act is guilty of a Class V misdemeanor (maximum $100 fine) for the first offense and Class IV misdemeanor (minimum $100, maximum $500 fine) for the second and subsequent offenses. Charges can be dismissed upon successful completion of a smoking cessation program. A proprietor that fails, neglects or refuses to perform a duty under the Act is guilty of a class V misdemeanor for the first offense and class IV misdemeanor for the second and subsequent offenses.