

**Philadelphia versus Pennsylvania:
A Comparison of Clean Indoor Air Legislation**



The Clean Indoor Air Act will regulate smoking in public areas and workplaces across the entire state of Pennsylvania, except for the City of Philadelphia. The Act permits Philadelphia to retain its Clean Indoor Air Worker Protection Law, which took effect in early January 2007. The chart below outlines the similarities and differences between the city- and state-wide measures.

Is smoking prohibited...	Philadelphia	Pennsylvania
In restaurants?	Yes	Yes
On mass transit vehicles and in mass transit stations?	Yes	Yes
At public meetings?	Yes	Yes
In public facilities?	Yes	Yes
20 feet from entrance ways?	Yes	No
In outdoor sports or recreational facilities and theaters or performance establishments?	Yes	Yes, except for designated outdoor smoking areas.
In bars whose annual food sales comprise at most 20% of gross annual sales?	No	No, including bars that are connected to an eating area, but have a separate ventilation system and a separate outside entrance and which existed at the time of the law's enactment.
In private clubs?	Yes, unless $\frac{2}{3}$ of club members voted to allow smoking and the club applied for a waiver within 90 days of the law's enactment (by 4/1/07). Smoking is prohibited at events open to the public.	Yes, unless the club is at least 10 years old and its officers vote to allow smoking. Smoking is prohibited at events open to the public.
In casinos?	Yes	Smoking is allowed on up to 25% of gaming floors. If casinos can claim an economic hardship, smoking will be allowed on up to 50% of gaming floors.
In lodging establishments?	Smoking is allowed in up to 25% of sleeping quarters available.	Smoking is allowed in up to 25% of sleeping quarters, and in designated quarters in full service truck stops.
In tobacco-related businesses?	Smoking is allowed in such businesses where at least 90% of gross annual sales are comprised of tobacco-related products.	Smoking is allowed in such businesses where at least 50% of gross annual sales are comprised of tobacco-related products, and in workplaces of a manufacturer, importer, or wholesaler of tobacco-related products.
In residential health care facilities and day treatment programs?	Yes	Yes, except for in separate, enclosed rooms designated for smoking and specific long-term care facilities.
At non-profit fundraisers held by a non-profit or charitable organization?	Yes	No, as long as the place is separate from other public areas, food and beverage are served, and all attendees are over 18. Only one such event may be held per place per year.
At tobacco promotion events?	Yes	No, as long as at least 75% of featured products are tobacco-related, and notice is provided that smoking will not be restricted. Only six days of such events may take place per promoter per year.
At cigar bars?	No, as long as total annual sales of tobacco products comprise at least 15% of combined gross sales.	No, as long as total annual sales of tobacco products comprise at least 15% of combined gross sales, or the cigar bar is physically connected and adjacent to a tobacco shop and existed at the time of the law's enactment.
At tobacco shops with tobacco sales making up at least half of gross annual sales?	Yes	No