



Summary of Act 8 of 2006
The Arkansas Clean Indoor Air Act
Prepared by the Arkansas Center for Health Improvement, April 2006

The purpose of Act 8 of 2006 is to guarantee that all Arkansans have a healthy and clean environment in which to work and shop.

The Act does not single out any one type of business. It is a broad law that applies to all types of businesses in Arkansas. The Act does not change any current Arkansas liability rules or laws. Smoking will not be permitted in enclosed areas within places of employment, within any government owned, leased or operated space, or in any enclosed public places.

Public places include:

• Banks • Restaurants • Bars • Retail food production and marketing establishments • Barber shops and beauty salons • Retail service establishments • Educational facilities • Retail stores • Healthcare facilities • Shopping malls • Laundromats • Sports arenas • Public transportation facilities • Theaters • Reception areas • Waiting rooms

Violation of the Act 8 may result in a fine of up to \$500 per violation.

Act 8 restricts smoking in workplaces, but allows smoking in businesses with fewer than three employees that are not public places and any restaurants or bars that prohibit the patronage or employment of people under age 21. The Act was amended to exempt all hotels with fewer than 25 rooms from the provision requiring that 20 percent of its rooms be designated for smoking. Business owners may request to exempt their location under strict criterion.

Where people live:

- *private homes except when used as a licensed child/adult/health care facility*
- *20 percent of hotel/motel rooms in facilities with fewer than 25 rooms*
- *areas within long-term care facilities that are designated by the facility for supervised patient smoking only*

Small home-based, non public businesses:

- *businesses with fewer than three employees that are not public places*

Select adult entertainment establishments:

- *any restaurants or bars that prohibit the patronage or employment of people under age 21 at any time*
- *designated smoking areas on the gaming floor of any franchisee of the Arkansas Racing Commission*

Businesses that sell tobacco:

- *retail tobacco stores*
- *all workplaces of any manufacturer, importer, or wholesaler of tobacco products; of any tobacco leaf dealer or processor; and all tobacco storage facilities*

Other:

- *outdoor areas of places of employment*