

Texas Second-Hand Smoking Municipal Ordinances 2014-2016

12 January 2017

Outline

- Summary of recent second-hand smoking ordinances
 - 2016
 - 2015
 - 2014

2016 Summary of SHS Ordinance Activity

- 15 smoking ordinances passed in 14 cities
- 13 ordinances in 14 cities included e-cigarettes
- 10 cities passed smoking ordinances addressing 5 focal areas
 - Dallas (9 Nov 2016) refers to parks
 - Haltom City (13 June 2016) refers to parks
 - Nederland (13 June 2016) refers to recreation center
 - Winnsboro (9 Feb 2016) refers to parks

2016 Summary of SHS Ordinance Activity

- 1 city passed two ordinances
 - Port Arthur 100% smoke-free ordinance (5 Apr 2016); removed restrictions for Private Worksites and Bars (31 May 2016)

100% Smoke-Free Status by Setting (2016, A-M)

Municipality	Municipal Worksites	Private Worksites	Restaurants	Bars (in Restaurants)	Bars (standalone)	E-Cigarette Coverage
Dallas*	✓	✓	✓	✓	✓	No
Duncanville	✓	✓	✓	✓	✓	Yes
Haltom City*	⊘ ⁴	⊘ ¹	✓	⊘ ¹	⊘ ¹	Yes
Henderson	✓	✓	✓	✓	✓	Yes
Lacy Lakeview	✓	✓	✓	✓	✓	Yes
Mesquite	✓	✓	✓	✓	✓	Yes
Mission	✓	✓	✓	✓	✓	Yes

100% Smoke-Free Status by Setting (2016, M-Z)

Municipality	Municipal Worksites	Private Worksites	Restaurants	Bars (in Restaurants)	Bars (standalone)	E-Cigarette Coverage
Missouri City	✓	✓	✓	✓	✓	Yes
Nederland	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	Yes
Pharr	✓	✓	✓	✓	✓	Yes
Port Arthur	✓	⊘ ³	✓	✓	⊘ ¹	Yes
Seagoville	✓	✓	✓	✓	✓	Yes
Universal City	✓	✓	✓	✓	✓	Yes
Winnsboro†	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	No

2015 Summary of SHS Ordinance Activity

- 12 smoking ordinances passed in 10 cities
- All 12 ordinances in 10 cities included e-cigarettes
- 9 cities passed smoking ordinances addressing 5 focal areas
 - Wichita Falls extended previous 2014 100% smoke-free ordinance (17 June 2014) to outdoor restaurant seating (4 Aug 2015)

2015 Summary of SHS Ordinance Activity

- 2 cities passed 2 ordinances
 - Bonham 100% smoke-free ordinance (11 May 2015); removed 20-foot radius restriction outside entrances (10 Aug 2015)
 - Port Lavaca 100% smoke-free ordinance (13 Apr 2015); created exception for vape shops (8 June 2015)

100% Smoke-Free Status by Setting (2015)

Municipality	Municipal Worksites	Private Worksites	Restaurants	Bars (in Restaurants)	Bars (standalone)	E-Cigarette Coverage
Bonham	✓	✓	✓	✓	✓	Yes
Burkburnett	✓	✓	✓	✓	✓	Yes
Denton*	✓	✓	✓	✓	⊘ ^{3*}	Yes
DeSoto	✓	✓	✓	✓	✓	Yes
Edinburg	✓	✓	✓	✓	✓	Yes
Port Lavaca	✓	✓	✓	✓	✓	Yes
Red Oak	✓	✓	✓	✓	✓	Yes
Sherman	⊘ ³	⊘ ³	✓	✓	✓	Yes
Waco	✓	✓	✓	✓	✓	Yes
Wichita Falls†	✓	✓	✓†	✓	✓	Yes

2014 Summary of SHS Ordinance Activity

- 25 smoking ordinances passed in 24 cities
- 13 ordinances in 13 cities included e-cigarettes
- 1 city passed 2 ordinances
 - Alice smoking ordinance with \$2,000 fine (27 Mar 2014); reduced fine to \$500 and added no smoking within 15-feet of entrances (10 Apr 2014)

2014 Summary of SHS Ordinance Activity

- 19 cities passed smoking ordinances addressing 5 focal areas
 - Aubrey (18 Feb 2014) relates to sale of e-cigarettes to minors
 - Eastland (21 July 2014) relates to sale of e-cigarettes to minors
 - Kyle (3 June 2014) relates to sale of e-cigarettes to minors
 - Lavon (3 June 2014) relates to sale of e-cigarettes to minors
 - Pilot Point (24 Feb 2014) relates to sale of e-cigarettes to minors

100% Smoke-Free Status by Setting (2014, A-H)

Municipality	Municipal Worksites	Private Worksites	Restaurants	Bars (in Restaurants)	Bars (standalone)	E-Cigarette Coverage
Alice	✓	⊘ ⁴	✓	⊘ ²	⊘ ¹	No
Aubrey	✓	⊘ ²	⊘ ¹	⊘ ¹	⊘ ¹	No
Carrollton	⊘ ²	⊘ ¹	⊘ ³	⊘ ³	⊘ ³	Yes
Eastland*	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	No
El Paso	✓	✓	✓	✓	✓	Yes
Farmersville	⊘ ⁴	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	Yes
Haltom City	⊘ ⁴	⊘ ¹	✓	⊘ ¹	⊘ ¹	Yes
Harlingen	✓	✓	✓	✓	✓	Yes

✓ = Ordinance is 100% Smoke-Free in setting

* Eastland prohibits smoking at baseball/softball complex

100% Smoke-Free Status by Setting (2014, H-N)

Municipality	Municipal Worksites	Private Worksites	Restaurants	Bars (in Restaurants)	Bars (standalone)	E-Cigarette Coverage
Hempstead	✓	⊘ ¹	✓	✓	⊘ ¹	No
Hickory Creek	✓	⊘ ¹	⊘ ³	⊘ ¹	⊘ ¹	Yes†
Italy	⊘ ²	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	Yes
Joshua	✓	✓	✓	⊘ ¹	⊘ ¹	Yes
Kyle§	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	No
Lavon‡	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	No
Melissa	⊘ ⁴	⊘ ⁴	⊘ ⁴	⊘ ⁴	⊘ ⁴	Yes
Nash	⊘ ¹	⊘ ¹	✓	⊘ ¹	⊘ ¹	No

✓ = Ordinance is 100% Smoke-Free in setting

† Hickory Creek updated 2013 ordinance to include e-cigarettes

‡ Only prohibits sale to minors

§ Kyle smoking prohibited at city park and pool

100% Smoke-Free Status by Setting (2014, P-Z)

Municipality	Municipal Worksites	Private Worksites	Restaurants	Bars (in Restaurants)	Bars (standalone)	E-Cigarette Coverage
Paris	✓	✓	✓	✓	⊘ ¹	No
Pilot Point‡	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	No
Roma	✓	⊘ ⁴	✓	✓	✓	No
Venus	✓	⊘ ¹	⊘ ¹	⊘ ¹	⊘ ¹	Yes
Waxahachie	✓	✓	✓	✓	✓	Yes
Weatherford	⊘ ¹	⊘ ²	✓	⊘ ¹	⊘ ¹	Yes
Wichita Falls	✓	✓	✓	✓	✓	Yes
Wolfforth	✓	✓	✓	⊘ ¹	⊘ ¹	No

✓ = Ordinance is 100% Smoke-Free in setting

‡ Only prohibits sale to minors

Thank You from Our Team!

Allison Winnike, J.D.

Melynda Boerm M.Ed.

Phyllis Gingiss, Dr.P.H.

Judy Glaister, Ph.D.

Heather Axline, J.D., LL.M. (cand.)

Ruth McCleskey, B.A.

Contact us!

Allison N. Winnike, J.D., Research Director & Research Professor
University of Houston Law Center Health Law & Policy Institute

anwinnike@uh.edu

<http://shsordinances.uh.edu/>