SmokeFreeColorado
Good health is good business

Colorado Clean Indoor Air Act 2006

Implementation Date: July 1, 2006

Overview of the law

Declares that the purpose of the act is to preserve and improve the health, comfort, and environment of Colorado residents by limiting exposure to tobacco smoke.

Requires Indoor Areas to be Smoke-Free

Including but not limited to:

- Public places and buildings such as elevators, restrooms, theaters, museums, libraries, schools, educational institutions, retirement facilities and nursing homes
- Lobbies, reception areas, hallways, and any other common-use areas
- Any place of employment not exempted
- Restaurants, bars, limited gaming facilities, billiard or pool halls, bowling alleys, grocery stores, and any food service establishment
- Indoor sports arenas, gymnasiums, and auditoriums
- Health care facilities, hospitals, health care clinics, doctor's offices, and child day care facilities
- No less than 75% of hotel or motel sleeping quarters rented to guests
- Jury waiting and deliberation rooms, courtrooms, and public meetings
- Government-owned mass transportation of any kind

Entryway

- Entryways of establishments covered by this law must be smoke-free.
- "Entryway" means the outside of the front or main doorway leading into a building. Entryway also includes the area of a public or private property within a specified radius outside of the doorway. The specified radius shall be determined by the local authority or, if the local authority has not acted, the specified radius shall be 15 feet.
- A local authority may specify a radius of less than 15 feet for the area included within an entryway.

Exemptions

- Private homes, residences, and automobiles unless being used for child care or day care.
- Limousines under private hire
- Up to 25% of rented hotel or motel rooms
- Retail tobacco businesses
- An establishment that met the definition of a "cigar-tobacco bar," as of December 31, 2005
- The outdoor area of any business, excluding entryways as described above
- The retail floor plan of casinos
- Fully enclosed and independently ventilated airport smoking concessions at Denver International Airport
- Employers with three or fewer employees who do not allow access to the public
- A private, non-residential building on a farm or ranch that has an annual gross income of less than $500,000

Penalties

A violation of this law is a Class 2 Petty Offense.

- It is unlawful for a person who owns, manages, operates, or otherwise controls the use of a premises subject to this law to violate any provisions of this law.
- It is unlawful for a person to smoke in an area where smoking is prohibited by this law.
- 1st violation within a calendar year - $200 fine
- 2nd violation within a calendar year - $300 fine
- Every violation per day thereafter within a calendar year - $500 fine

Each day of a continuing violation shall be deemed a separate violation.

Enforcement

- This law will be enforced by local authorities.

For a copy of the law, go to: www.SmokeFreeColorado.org