


THE CALIFORNIA STATE UNIVERSITY
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Date: September 22, 2003

Code: HR 2003-19

To: CSU Presidents

From: Jackie R. McClain 
Vice Chancellor
Human Resources

Subject: **Smoking: Public Buildings**

AB 846, signed into law by Governor Davis, imposes new smoking restrictions on public buildings, effective January 1, 2004. Current California law prohibits state employees, and members of the general public, from smoking inside of, or within five feet, of a main entrance or exit to any state-owned or state-occupied building. AB 846 increased the distance restriction to 20 feet and now includes all operable windows, in addition to entrances and exits. The new law continues the exemption for residential space and continues the prohibition on smoking in state-owned vehicles. Christine Helwick advised you in a separate memo September 12, 2003, of the law and campus impact issues. AB 846 is attached for reference.

State agencies are free to adopt other smoking and tobacco control regulations that are more restrictive than AB 846; therefore, campuses may continue or adopt regulations that are more restrictive than this new law. Coded Memoranda HR 2002-26, Secondhand Smoking Policy, issued October 15, 2002, advised that Title 5, California Code of Regulations, was changed to delegate authority to presidents and the chancellor to adopt rules regarding regulation of secondhand smoking to all individuals, including members of the public. The policy is available at <http://www.calstate.edu/HRA dm/pdf2002/HR2002-26.pdf>.

Please review your campus smoking policies to ensure compliance with AB 846 and update as needed, no later than January 1, 2004.

If you have any questions about this new law, please contact Human Resources or your campus counsel, as appropriate. This document is available on the Human Resources Administration's Web site at: <http://www.calstate.edu/HRA dm/memos.shtml>.

JRMCC/cr

Attachment

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