



**County
Health Officials
of New York**
Leading the way to healthier communities

SUPPORTS



A.2299/S.2655 (Dinowitz/Stavisky)
AN ACT to amend the public health law, in relation to
prohibiting smoking in certain outdoor areas

The New York State Association of County Health Officials (NYSACHO) and the New York State Public Health Association (NYSPHA) support the above-referenced legislative proposal, which would prohibit smoking and in publicly operated parks and pedestrian plazas. The bill defines what areas are included under these umbrella terms, provides exceptions and includes an enforcement mechanism in the form of a fine of up to \$50 per violation. NYSACHO and NYSPHA also recommend that this prohibition be expanded to also prohibit the use of electronic aerosol delivery systems (EADS) in these same public spaces.

Smoking and other forms of tobacco use are detrimental to health and continue to be a major public health problem. Despite improvements over the last several decades in reducing tobacco use, about 42.1 million (18.1% of U.S. adults) Americans continue this dangerous activity. Tobacco is responsible for 1 in 5 deaths in the U.S. and is a leading cause in disability, including in its role in causing cancer, heart disease, stroke, and lung diseases. The effects of smoking negatively affect others in the form of second-hand smoke. The Center for Disease Control and Prevention estimates that second-hand smoke contributes to 41,000 non-smoker adult deaths per year, and the deaths of 400 infants. The CDC notes:

“Secondhand smoke causes stroke, lung cancer, and coronary heart disease in adults. Children who are exposed to secondhand smoke are at increased risk for sudden infant death syndrome, acute respiratory infections, middle ear disease, more severe asthma, respiratory symptoms, and slowed lung growth.”

In addition to smoking’s negative health effects, litter from cigarettes poses a serious environmental concern in the form of the non-biodegradable filters. These filters can persist in the environment for many years, allowing chemicals and carcinogens to leach into groundwater. Additionally, the aerosol emitted by EADS frequently contains a variety of human carcinogens such as formaldehyde and benzene, which have been deemed harmful by the U.S. Surgeon General.

Many municipalities throughout New York State have established smoking bans in certain public places, and the practice continues to gain public credibility and support. The New York State Office of Parks, Recreation and Historic Preservation recently enacted regulations to limit smoking on all sites operated by the agency. Furthermore, in 2010 report by the NYS Department of Health (NYSDOH), over 50% of New Yorkers support smoking bans in public areas. In a 2016 stat shot report, NYSDOH also found that 65% of local decision-makers also supported bans on smoking in outdoor public places.

NYSACHO and NYSPHA support this legislation, which will continue to reduce the number of New Yorkers who smoke, to reduce the number of New Yorkers exposed to second-hand smoke, to minimize the environmental harm caused by non-biodegradable cigarette filters, and reduce exposure to carcinogens found in EADS, and we recommend its immediate adoption.

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