

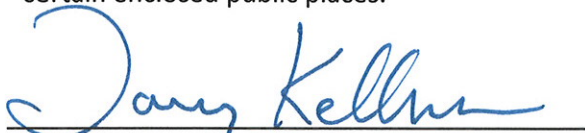
Resolution of the Board of Directors in Support of the Statewide Smoking Ban

The Greater Houston Partnership supports the statewide smoking ban, also referred to as the statewide smoke-free work place law. If enacted, this legislation would ban smoking in the work place and enclosed areas of certain public places. The statewide smoking ban would help protect all Texans from the harmful effects of secondhand smoke exposure.

At this time, Texas does not have a statewide smoke-free work place law. Only 29 states and 34 Texas cities are covered by smoke-free legislation. Over half of Texans are not covered by smoke-free policies. As a result, many of these individuals are susceptible to health risks associated with secondhand smoke exposure at their place of employment or in frequented public areas that allow smoking. A smoke-free policy aims to prevent illnesses, such as cancer, heart disease and asthma, which are caused by exposure to secondhand smoke. These illnesses have costly health care treatments that employers and employees must pay. Smoke-free legislation could help curb the health costs and risks caused by secondhand smoke exposure.

In addition to reducing health care costs and health risks of secondhand smoke exposure, smoke-free laws have been proven to help the economy flourish and thrive. A statewide smoke-free work place law would benefit the state and regional economy by providing cleaner air, a healthier work force, as well as health care cost-savings and larger revenues for businesses. Other studies have shown that the law would not have an adverse effect on business revenues and that the tourism industry would thrive. Research also showed that an increase of consumers said they would go to a business more often if smoke-free policies were in place. More importantly, recent polling shows that 70 percent of Texans support smoke-free legislation that would eliminate smoking in all indoor work places and public areas.

Therefore, the Greater Houston Partnership supports passage of legislative initiatives that would ban smoking in the work place and other public areas because of the health benefits and economic advantages to the business community, their employees and their consumers. In February, Senator Rodney Ellis and Representative Myra Crowover filed identical legislation -- Senate Bill 355 and House Bill 670 -- that would create a statewide smoke-free policy eliminating smoking in the work place and certain enclosed public places.



Larry Kellner, Chairman



Jeff Moseley, President and CEO



Tony Chase, Secretary

MEMORANDUM

DATE: April 6, 2011

TO: Greater Houston Partnership Board of Directors

FROM: Dr. Lewis Foxhall, Chairman
Health Care Policy Advisory Committee

SUBJECT: Resolution of the Board of Directors In Support of the Statewide Smoking Ban

RECOMMENDATION

The Greater Houston Partnership supports the statewide smoking ban, also referred to as the statewide smoke-free work place law. If enacted, this legislation would ban smoking in the work place and enclosed areas of certain public places. The statewide smoking ban would help protect all Texans from the harmful effects of secondhand smoke exposure.

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Therefore, the Greater Houston Partnership supports passage of legislative initiatives that would ban smoking in certain places of business because of the health benefits and economic advantages to the business community, their employees and their consumers. In February, Senator Rodney Ellis and Representative Myra Crownover filed identical legislation -- Senate Bill 355 and House Bill 670 -- that would create a statewide smoke-free policy eliminating smoking in the work place and certain enclosed public places.

BACKGROUND

Currently, Texas does not have a statewide smoke-free work place law. Only 29 states and 34 Texas cities are covered by smoke-free legislation. Fifty-five percent of Texans living in incorporated areas are currently not covered by comprehensive smoke-free work place legislation. Without a statewide smoke-free work place law, 23 percent of Texans will remain unprotected from secondhand smoke exposure.¹

Secondhand smoke is dangerous. A statewide smoke-free work place law would protect Texas employees and customers from harsh chemicals and illnesses produced by secondhand smoke. Secondhand smoke is a known cause of lung cancer, heart disease, low birth weight newborns, chronic lung ailments (such as bronchitis and asthma) and other health problems.² Cigarette smoke contains more than 7,000 chemicals; more than 70 are cancer-causing chemicals.³ Some of these toxic chemicals include formaldehyde, benzene, arsenic and hydrogen cyanide.⁴

A statewide smoke-free work place law would benefit the state and regional economy by generating a healthier work force, saving costs for businesses and taxpayers, and increasing revenues for some businesses. Recent studies have shown that the law, if enacted, would have the following benefits to our economy:

- Smoke-free policies do not affect restaurant revenue or the sale of alcoholic beverages in bars, according to a 2000 analysis of sales tax data in four smoke-free Texas cities: Arlington, Austin, Plano and Wichita Falls.⁵
- In 2003, a study that provided a comprehensive evaluation of all available studies on the economic impact of smoke-free workplace laws concluded that these studies report no impact or a positive impact of smoke-free restaurant and bar laws on sales or employment.⁶
- Tourism thrives: smoke-free policies do not affect tourism or hotel/motel revenues. California and New York tourism increased after the enactment of smoke-free policies.⁷
- As a result of the *Smoke-Free Meeting* campaign initiated by Americans for Nonsmokers' Rights in 2004, at least 27 organizations, representing millions of Americans, have

¹ Data from www.smokefreetexas.org.

² The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General – Executive Summary. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, (2006).

³ U.S. Department of Health and Human Services. *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease: A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2010.

⁴ The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General – Executive Summary. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, (2006).

⁵ S. Hayslett, J.A. and P. Huang Impact of Clean Indoor Air Ordinances on Restaurant Revenues in Four Texas Cities: Arlington, Austin, Plano and Wichita Falls 1987-1999. (2000).

⁶ Scollo M, et al, Review of the quality of studies on the economic effects of smoke-free policies on the hospitality industry, *Tobacco Control* (2003); 12: 13-20.

⁷ Glantz, S.A. and A. Charlesworth (1999).

committed to host meetings only in smoke-free cities, or negotiate smoke-free meeting venues in the absence of a smoke-free city.⁸

Lastly, subsequent evidence shows that there is widespread support for smoke-free policies in Texas:

- 70 percent of Texas voters favor a statewide law that would eliminate smoking in all indoor workplaces.⁹
- Very few Texans (8 percent) indicated that they would go out to bars and restaurants less often than they do now if the Legislature were to make all restaurants and bars smoke-free. In fact, a net increase of 16 percent of Texans would go out to bars and restaurants *more* often with a smoke-free law.¹⁰
- Texans believe the rights of customers and employees to breathe clean air in restaurants and bars (76 percent) is paramount to the right to smoke and owners to allow smoking inside their restaurants and bars (15 percent).¹¹

LEGISLATION NEEDED

SB 355 and **HB 670**, filed by Senator Rodney Ellis and Representative Myra Crowover respectively, propose comprehensive statewide smoke-free policies that would protect all Texans from the dangers of secondhand smoke exposure at work and in certain enclosed public places. Similar legislation was filed in the 81st Texas Legislature, but did not pass because strong opposition from free enterprise groups argued that the ban was a violation of private property rights and personal freedom.

The Greater Houston Partnership supports passage of SB 355 and HB 670 in the 82nd Texas Legislature and other legislative initiatives that support the elimination of smoking in the work place and certain enclosed public spaces.

FISCAL IMPACT

According to the Legislative Budget Board, SB 355 and HB 670 would not have a significant fiscal impact on the State. Studies from the Health and Human Services Commission show that the legislation would create substantial health care cost- savings of approximately \$13 million over the next biennium and \$35 million over the next five years. There would be some costs to local government predominately pertaining to the installation and maintenance of signage in public places notifying citizens of the policy. There might also be costs to local law enforcement for enforcing the ban.

⁸ Americans for Nonsmokers Rights: Adopt a Smokefree Cities Meeting Resolution! Retrieved from <http://www.no-smoke.org/document.php?id=348>

⁹ Baselice & Associates survey of 501 Texas adults, January 2011

¹⁰ Baselice & Associates survey of 501 Texas adults, January 2011.

¹¹ Baselice & Associates survey of 501 Texas adults, January 2011.

KNOWN OPPOSITION

Organizations which currently do not prohibit smoking within their venues, such as restaurants and bars, may oppose the statewide smoking ban.

RESOURCES REQUIRED

This recommendation can be implemented with available Greater Houston Partnership staff within current operating budget resources.