

# Florida Clean Indoor Air Act

Florida recently amended its Clean Indoor Air Act to comply with the Florida Health Initiative. The law prohibits smoking in all enclosed indoor workplaces except:

- Private residences or private clubs
- Retail tobacco shops
- Smoking-designated guest rooms in hotels and motels
- Stand-alone bars
- Designated smoking rooms under the control of the U.S. Bureau of Customs and Homeland Security in airports
- Facilities that conduct medical or scientific research on smoking cessation

The law defines an “enclosed indoor workplace” as one predominantly or totally bounded on all sides and above by physical barriers. (“Predominantly bounded” means either the top barrier covers more than 50 percent of the roof space or physical barriers cover more than 50 percent of the sides.)

Under the Clean Indoor Air Act, employers may still provide designated smoking rooms for employees. The law requires employers to develop and implement policies that deal with violations and address the consequences for employees who break the smoke-free rule.

The state Department of Health and the Department of Business and Professional Regulation enforce the law. Fines range from \$250 to \$2,000 per violation, depending on the business size and the number of previous violations. For more information, go to [www.doh.state.fl.us/Environment/community/fciaa/index.html](http://www.doh.state.fl.us/Environment/community/fciaa/index.html).

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*Excerpted from Florida's 9 Most Critical Employment Laws, a special bonus report available to subscribers of HR Specialist: **Florida Employment Law**.*