

**RESOLUTION OF THE  
TENNESSEE PUBLIC HEALTH ASSOCIATION**

**PREEMPTION OF LOCAL TOBACCO LAWS**

WHEREAS, smoking is responsible for the deaths of more than 9,600 adult smokers in Tennessee each year; and

WHEREAS, the Department of Health's 2000 Tennessee Youth Tobacco Survey shows that 41.3% of high school students use tobacco products; and

WHEREAS, approximately 80% of adult smokers began using tobacco products before the age of 18 years; and,

WHEREAS, 14,600 Tennessee youth under the age of 18 become new, daily smokers each year; and,

WHEREAS, the medical costs directly attributable to smoking exceed \$1.5 billion in Tennessee every year, and

WHEREAS, secondhand tobacco smoke is an indoor air pollutant containing a complex mixture of more than 4,000 chemicals and more than 50 carcinogens, and

WHEREAS, secondhand smoke exposure has been documented to cause increased respiratory problems such as asthma attacks and lower respiratory tract infection and increases the risk of lung cancer and heart attacks; and

WHEREAS, the U.S. Surgeon General's 2000 Report, "Reducing Tobacco Use," concluded that strong clean indoor air regulations will decrease tobacco consumption among smokers, will increase smoking cessation efforts, and will contribute to changing social norms about tobacco use; and

WHEREAS, local governments in Tennessee should have the right to protect the health and welfare of their citizens by adopting local laws and ordinances restricting the purchase and use of tobacco products by minors and promoting clean indoor air in public buildings; and

WHEREAS, Title 39, Chapter 17, Part 1551, adopted on March 15, 1994, of the Tennessee Code Annotated restricts any agency or political subdivision of the state from enacting any law or regulation of tobacco products, A CONCEPT KNOWN AS PREEMPTION.

NOW, THEREFORE, BE IT RESOLVED that the Tennessee Public Health Association urges the General Assembly to repeal Title 39, Chapter 17, Part 1551 of the Tennessee Code Annotated, so that local governments in Tennessee will once again have the right to protect the health and safety of their citizens by enacting such laws and ordinances they deem appropriate regarding tobacco products; and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the members of the Tennessee General Assembly and to the Tennessee County Mayors, and that a copy of this resolution is distributed to all members of the Association.

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Barbara Medlin  
President

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Doris G. Spain  
Executive Director

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Karen Pershing  
Resolutions Committee Chair

