

Smoke-Free Housing

New England



TO: Connecticut Public Housing Authority Directors, Healthy Housing Representatives, Smoke-Free Housing Advocates, Tobacco Control Advocates

FROM: Smoke-Free Housing New England

DATE: August 13, 2009

RE: Smoke-free policy adoption by public housing authorities in the State of Connecticut

It has come to our attention that confusion exists regarding the status of the State of Connecticut's existing secondhand smoke laws and the restriction this may place on public housing authorities to adopt smoke-free policies.

According to Sec. 19A-342 of Connecticut State Law, public housing is exempt from the laws prohibiting smoking; however, the law does not prohibit public housing authorities from adopting voluntary policies restricting smoking on their own properties. The provisions of this section shall supersede and preempt the provisions of any municipal law or ordinance relative to smoking effective prior to, on, or after October 1, 1993, and unless the public housing authority in question falls under the sole governance of the local municipality a policy change is not preempted under this law.

Smoke-Free Housing New England has consulted with a legal policy analyst and has determined that nothing contained in Connecticut's state law prohibits public housing authorities in this state from implementing smoke-free policies relative to their buildings and properties.

This, in combination with the recent HUD Notice PIH-2009-21, "Non-Smoking Policies in Public Housing," as well as the financial and health benefits of policy adoption, provide reason and justification for public housing authorities in Connecticut to adopt smoke-free policies.

For more information regarding smoke-free policy adoption, visit www.smokefreehousingne.org. For legal advice regarding this and other matters, please consult private legal counsel.

Smoke-Free Housing New England

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