



TO: BOARD OF DIRECTORS
FROM: EXECUTIVE COMMITTEE
SUBJECT: CITY OF SAN ANTONIO SMOKING ORDINANCE
STATUS: ADOPTED

DATE: 5/21/2010

RECOMMENDATION: That the Board of Directors of The Greater San Antonio Chamber of Commerce adopt the following position statement as policy.

STATEMENT: The Chamber supports stricter smoking ordinances for the City of San Antonio to include: all restaurants, bars, halls and clubs, in order to promote the health and well-being of all San Antonians.

The Chamber further supports a ban on smoking in local municipalities and Bexar County, as well as the implementation of a comprehensive State law to prohibit public smoking throughout Texas, to create more healthy environments and allow bars and restaurants in San Antonio to more fairly compete with surrounding municipalities that allow smoking.

BACKGROUND: The negative effects of smoking have been extensively studied, are widely known and well documented. Tobacco smoke is linked to several forms of cancer, such as cancer of the lungs, stomach, cervix, kidney, and pancreas. Smoking is known to increase blood pressure, straining the heart and blood vessels, and is a leading cause of heart attacks and stroke.

The effects of smoking are not restricted to tobacco users; studies have shown that second hand smoke (or environmental tobacco smoke) to be harmful to non-smokers. Non-smokers who breathe in secondhand smoke take in nicotine and other toxic chemicals just like smokers do. Heart disease, respiratory ailments and other illnesses caused by second hand smoke have affected adults and children who live with, and work alongside, tobacco users.

Texas spends \$5.8 billion each year in health expenses directly related to tobacco, and \$349 million in health expenses related to secondhand smoke. Tobacco is the No. 1 cause of premature death in Texas, and for every eight people who die of tobacco in Texas, one is a non-smoker. People exposed to secondhand smoke are at risk for developing cancer, heart disease and lung disease (Source: American Cancer Society).

Several polls conducted throughout Texas and San Antonio have shown that the majority of people support bans on smoking in public areas. However, current State law gives municipalities the authority to implement smoking ordinances and the areas they want to exempt. If San Antonio institutes a stricter smoking ban to include bars, restaurants and other places of businesses that are exempted in the current ordinance (adopted in August 2003), those businesses establishments could be placed in a competitive disadvantage with establishments in neighboring San Antonio municipalities that permit smoking in public places. However, a comprehensive State ban on smoking would eliminate the disadvantage

that some businesses might face, and provide all businesses an opportunity to operate within equal standards and guidelines.

REASONS FOR SUPPORT:

- Tobacco is the leading cause of preventable death in Texas.
- All Texans and San Antonians have a right to work in a smoke-free work environment, to include employees in restaurants, bars, halls and clubs.
- Direct medical expenses due to smoking are estimated to be over \$5.8 billion in Texas, which impacts health care providers and the overall health care delivery system.

REASONS FOR OPPOSITION:

- Without a comprehensive state smoking ban, San Antonio businesses that cater to smokers may be at a competitive disadvantage to businesses in neighboring municipalities that are not affected by the ordinance.
- The stricter ordinance will require additional resources for staff to enforce and ensure compliance with the law.
- Some small businesses may view the greater restrictions as an additional burden to doing business, and an opportunity for “exploitation” by the City to generate revenue through fines for violations.

IMPLEMENTATION: The Chamber will communicate its support for a stricter City ordinance on smoking, as well as our recommendation for a comprehensive state ban on smoking, to the City of San Antonio, the Mayor and City Council, as well as the media, Chamber membership.