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General questions: Jim Sellers, 503-945-5738

Technical questions: Cathryn Cushing, 971-673-1013,
cathryn.s.cushing@state.or.us

New law helps renters find homes free of secondhand smoke

Newly approved state legislation will help renters identify housing free of secondhand smoke by requiring landlords to disclose in rental agreements whether smoking is allowed in the housing units.

The new law will be effective Jan. 1, 2010.

The legislation, HB2135A, was introduced by Governor Ted Kulongoski on behalf of the Oregon Department of Human Services, whose Tobacco Education and Prevention Program said the Legislature's action is a big step in reducing Oregonians' – and particularly children's – exposure to secondhand smoke.

"The Oregon Legislature's leadership on this bill extends consumer protection and empowers renters to make informed choices about their health and the health of their families," said Dr. Mel Kohn, acting director of the DHS Public Health Division. "Multi-unit housing is one of the few remaining indoor places where Oregonians are exposed to secondhand smoke against their will.

The bill was championed by Rep. Carolyn Tomei of Milwaukie. "Secondhand smoke has been shown to drift between rental units," Tomei said, "and more than a fifth of Oregon renters report smoke regularly invades their homes. This bill is one of three in a youth-protection package. The other two will ban tobacco from vending machines and ban sampling of non-cigarette tobacco products."

(more)

A 2008 telephone poll of Oregon renters found that 70 percent would choose smokefree housing if it were available, including 38 percent of renters who smoke. Yet only 21 percent of respondents said their property had a no-smoking rule.

“Including the smoking policy in the rental agreement will make it easier for renters to find smokefree housing,” Kohn said. “And it will assure landlords – many already are moving toward no-smoking rules – that smokefree policies are legal.”

The Oregon Rental Housing Association (ORHA) and the Metro Multifamily Housing Association, both of which supported the bill, have been educating landlords about the benefits of adopting smokefree policies.

“We are proud of our involvement in the smokefree housing movement because it provides a terrific benefit to both landlords and tenants,” said Norton Cabell, ORHA director of government relations.

The state Senate passed the bill 27-2 on May 11, and the House passed it earlier on a 58-1 vote.

Kohn said 75,000 Oregon children have asthma, for which secondhand smoke is a primary – and potentially deadly – trigger. He said secondhand smoke also can cause sudden infant death syndrome and meningococcal disease. Exposure to secondhand smoke, which contains more than 43 cancer-causing agents, also is the nation’s third leading cause of preventable death. It kills 53,000 nonsmokers in the U.S. and 400 in Oregon annually.

About TPEP

The Oregon Tobacco Prevention and Education Program works with local health departments, tribes, schools and community organizations to deliver a comprehensive tobacco prevention program to all Oregon residents. These program activities are based on evidence-based strategies to reduce and prevent tobacco use. For more information, visit www.oregon.gov/DHS/ph/tobacco/