

**SUPPLEMENTAL CONTENT: State and regional gaps in coverage of “Tobacco 21”
policies**

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Table 1. Type of Tobacco 21 coverage, legal preemption and percent of population covered, by age group and state

State	Type of coverage†	Legal Preemption‡	Residents ages 15-17		Residents ages 18-20	
			N	%	N	%
Alabama §	None	No	192731	0.0	205063	0.0
Alaska §	Partial	No	30082	1.1	30618	1.0
Arizona	Partial	No	272870	0.3	286722	0.4
Arkansas §	Partial	No	119237	1.2	125926	1.0
California	Full	Yes	1564955	100.0	1664166	100.0
Colorado	Partial	No	203520	0.3	217892	0.3
Connecticut	Partial	No	145740	3.5	158352	5.7
Delaware	None	Yes	34607	0.0	39815	0.0
District of Columbia	Full	No	15549	100.0	34274	100.0
Florida	None	No	709706	0.0	750875	0.0
Georgia	None	No	420514	0.0	444739	0.0
Hawaii	Full	No	48065	100.0	51117	100.0
Idaho	None	No	71487	0.0	68524	0.0
Illinois	Partial	No	520622	30.5	526275	33.4
Indiana	None	Yes	272447	0.0	289016	0.0
Iowa	None	Yes	122159	0.0	142459	0.0
Kansas	Partial	No*	118944	30.8	128215	24.7
Kentucky	None	Yes	171689	0.0	182627	0.0
Louisiana	None	Yes	184430	0.0	194349	0.0
Maine	Full	No	47981	100.0	52056	100.0
Maryland	None	No	230882	0.0	239484	0.0
Massachusetts	Full	No	251578	100.0	315197	100.0
Michigan	Partial	Yes*	404840	5.1	430873	7.5
Minnesota	Partial	No	213587	15.1	216777	18.1
Mississippi	Partial	Yes	123844	0.5	137789	0.4
Missouri	Partial	No	238769	24.7	254094	28.0
Montana	None	Yes	37236	0.0	43338	0.0
Nebraska	None	No	75154	0.0	82711	0.0
Nevada	None	Yes	110872	0.0	102179	0.0
New Hampshire	Partial	No	50844	3.2	58159	6.4
New Jersey	Full	No	356313	100.0	337673	100.0
New Mexico	None	Yes	84138	0.0	88207	0.0
New York	Partial	No	735437	73.9	835077	71.1
North Carolina	None	Yes	385891	0.0	420191	0.0
North Dakota	None	No	25623	0.0	36079	0.0

Ohio	Partial	No	465105	15.6	479930	21.7
Oklahoma	None	Yes	154324	0.0	163914	0.0
Oregon	Full	No	147313	100.0	153873	100.0
Pennsylvania	None	Yes	481595	0.0	550400	0.0
Rhode Island	Partial	No*	38781	4.0	54276	2.4
South Carolina	None	Yes	182587	0.0	206717	0.0
South Dakota	None	Yes	33160	0.0	36836	0.0
Tennessee	None	Yes	254404	0.0	263106	0.0
Texas	Partial	No	1165199	5.2	1176865	5.7
Utah	None	No	140824	0.0	132213	0.0
Vermont	None	No	23042	0.0	31697	0.0
Virginia	None	No	313265	0.0	354421	0.0
Washington	None	Yes	267550	0.0	273868	0.0
West Virginia	None	No	65917	0.0	73095	0.0
Wisconsin	None	Yes	225177	0.0	243301	0.0
Wyoming	None	Yes	21992	0.0	24650	0.0

† None = No Tobacco 21 laws; Full = Statewide Tobacco 21 law; Partial = Local Tobacco 21 laws only

‡ Source: <https://healthdata.gov/dataset/cdc-state-system-tobacco-legislation-preemption>. Other analyses have reached a different conclusion regarding local authority in Michigan. Berman ML. "Raising the Tobacco Sales Age to 21: Surveying the Legal Landscape." Public Health Rep. 2016;131(2):378-381.

§ Alabama, Alaska and Arkansas have age 19 sales restrictions for tobacco; however, the census does not allow separation of 18 and 19 year age groups, so the 15-17 and 18-19 categories were retained.

* There are pending lawsuits in Kansas, Michigan, and Rhode Island, to determine whether local governments have the authority to adopt Tobacco 21 laws. For more information, see: The Topeka Capital-Journal, "Topeka appeals tobacco ruling, requests Kansas Supreme Court hear case." May 2, 2018 (available from: <https://www.cjonline.com/news/20180502/topeka-appeals-tobacco-ruling-requests-kansas-supreme-court-hear-case>); Public Health Law Center. Amicus brief in RPF Oil Co. v. Genesee Cty. June 13, 2017 (available from: <https://www.publichealthlawcenter.org/amicus-briefs/rpf-oil-co-v-genesee-cty-and-genesee-cty-health-dep%E2%80%99t-genesee-cty-circuit-ct-case-no>); Public Health Law Center. Amicus brief in K&W Automotive v. Barrington. June 1, 2018 (available from: <https://www.publichealthlawcenter.org/amicus-briefs/k-w-automotive-v-barrington-no-pc-2018-0471-providence-ri-sc-2018>).