

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE BILL 1086

Short Title: Tobacco Free Schools. (Public)

Sponsors: Senators Purcell; Albertson, Bingham, Dannelly, Forrester, Malone, and Rand.

Referred to: Health Care.

March 21, 2007

A BILL TO BE ENTITLED

AN ACT TO PROTECT CHILDREN IN THE PUBLIC SCHOOLS FROM EXPOSURE TO TOBACCO BY REQUIRING LOCAL BOARDS OF EDUCATION TO ADOPT WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS BY ANY PERSON IN PUBLIC SCHOOL BUILDINGS AND SCHOOL FACILITIES, ON THE PUBLIC SCHOOL CAMPUS, AND IN OR ON OTHER SCHOOL PROPERTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 155C-407 reads as rewritten:

**"§ 115C-407. Policy prohibiting tobacco use in school ~~buildings~~buildings and the surrounding school campus.**

Local boards of education shall adopt and enforce a written policy ~~providing for enforcement of federal requirements under the Pro Children Act of 1994, 20 U.S.C. § 6083, prohibiting smoking within any school building used to provide routine or regular kindergarten, elementary, or secondary education or library services to children~~prohibiting at all times the use by any person of any tobacco product in a school building, school facility, on the surrounding public school campus, and in or on any other school property owned or operated by the local school administrative unit. The policy shall include at least the following:

~~The policy shall further prohibit the use of all tobacco products in enclosed school buildings during regular school hours, and shall include:~~

(1) ~~Adequate notice to students and school personnel of the policy.~~

(2) ~~Posting of signs regarding the use of tobacco products by any person.~~

(3) ~~Requirements that school personnel enforce the policy.~~

(1a) Adequate notice to students and school personnel of the policy and sanctions for violation of the policy.

(2a) Posting signs prohibiting the use of tobacco products by any person at all times.

1           (3) Sanctions for violation of the policy by any person. Such sanctions  
2           may include participation in an approved smoking cessation program.

3           (4) Requirements that school personnel enforce the policy.

4           ~~The policy may permit tobacco products to be included in instructional or research~~  
5 ~~activities in public school buildings if the activity is conducted or supervised by the~~  
6 ~~faculty member overseeing the instruction or research and the activity does not include~~  
7 ~~smoking, chewing, or otherwise ingesting the tobacco product.~~

8           Nothing in this section, G.S. 143-595 through G.S. 143-601, or any other section  
9 prohibits a local board of education from adopting and enforcing a more restrictive  
10 policy on the use of tobacco in school buildings, in school facilities, on school  
11 campuses, or at school-related or school-sponsored events, and in or on other school  
12 property."

13           **SECTION 2.** This act is effective when it becomes law except that local  
14 boards of education shall have until January 1, 2008, to comply with G.S. 115C-407, as  
15 amended by this act.