

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 583*
Education/Higher Education Committee Substitute Adopted 4/23/03

Short Title: Tobacco-Free Schools.

(Public)

Sponsors:

Referred to:

March 31, 2003

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 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. Chapter 115C of the General Statutes is amended by adding the following new Article to read:

"Article 29A.

"Policy Prohibiting Use of Tobacco Products.

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

Except as otherwise provided in this section for outdoor events for which an admission fee is charged, local boards of education shall adopt and enforce a written policy prohibiting 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 at all times. The policy shall include at least the following:

- (1) Enforcement of federal requirements under the Pro-Children Act of 1994, 20 U.S.C. § 6083, prohibiting smoking within any school building or school facility used to provide routine or regular kindergarten, elementary, or secondary education or library services to children.
- (2) Adequate notice to students and school personnel of the policy and sanctions for violation of the policy.
- (3) Posting of signs prohibiting the use of tobacco products by any person.

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

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

4 Local boards of education are encouraged to apply tobacco-free policies adopted
5 under this section to all persons at all times. However, a local board of education may
6 adopt a provision in its policy permitting the use of tobacco products at outdoor events
7 where an admission fee is charged, provided that such exemption from the requirements
8 of this section shall expire beginning with the 2007-2008 academic year. Nothing in this
9 section prohibits a local board of education from enforcing a more restrictive policy on
10 the use of tobacco in school buildings, school facilities, on school campuses, and in or
11 on other school property."

12 **SECTION 2.** This act is effective when it becomes law.