

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 583*
Education/Higher Education Committee Substitute Adopted 4/23/03
Third Edition Engrossed 4/29/03
House Committee Substitute Favorable 6/11/03
Fifth Edition Engrossed 7/9/03

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.

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.

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.

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.

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

Nothing in this section, G.S. 143-595 through G.S. 143-601, or any other section
prohibits a local board of education from adopting and enforcing a more restrictive

1 policy on the use of tobacco in school buildings, in school facilities, on school
2 campuses, or at school-related or school-sponsored events, and in or on other school
3 property."

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