

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2003-421
SENATE BILL 583**

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

SECTION 2. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 16th day of
July, 2003.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Richard T. Morgan
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 2:00 p.m. this 14th day of August, 2003