

RÉSUMÉ DIGEST

ACT 351 (HB 531)

2017 Regular Session

Hoffmann

Existing law prohibits certain activities related to smoking and tobacco use at elementary and secondary schools. Existing law generally prohibits two classes of activity applicable in different circumstances, possession and consumption.

Possession

Prior law prohibited possession of lighted tobacco products on *school grounds* except in an area specifically designated as a smoking area. New law prohibits possession of lighted tobacco products and lighted electronic smoking devices on any *school property*; removes the exception for designated smoking areas. New law defines school property to include school vehicles used for the provision of academic and extracurricular programs and administration.

Consumption

Existing law prohibits chewing or otherwise consuming tobacco products as more specifically described below. New law further prohibits inhaling and absorbing as acts of consumption.

Existing law prohibits consumption of tobacco products in any elementary or secondary school building. New law, applicable to students and school employees only, prohibits consumption on any school property. New law excepts from these prohibitions tobacco cessation products approved by the Food and Drug Administration.

Read with restrictions on possession of lighted tobacco products, new law allows a person who is not a student or school employee to consume unlighted tobacco products on school property outside of school buildings.

Other Provisions

Prior law prohibited possession of lighted tobacco products on a school bus transporting public school students. New law, in addition to the prohibition on possession in school vehicles described above, prohibits the "use of" tobacco products in any school bus or school vehicle that is transporting students.

New law provides that existing law and new law do not apply to school property that is rented, leased, or otherwise made available for noneducational purposes.

Effective upon signature of governor (June 22, 2017).

(Amends R.S. 17:240(A) and (B))