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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. **2221**

03/07/2017 Authored by Thissen
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health; creating an exception to the prohibition of tobacco products in
1.3 public schools when used in an experiment or demonstration; amending Minnesota
1.4 Statutes 2016, section 144.4165.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 144.4165, is amended to read:

1.7 **144.4165 TOBACCO PRODUCTS PROHIBITED IN PUBLIC SCHOOLS.**

1.8 (a) No person shall at any time smoke, chew, or otherwise ingest tobacco or a tobacco
1.9 product, or inhale or exhale vapor from an electronic delivery device as defined in section
1.10 609.685, subdivision 1, in a public school, as defined in section 120A.05, subdivisions 9,
1.11 11, and 13, and no person under the age of 18 shall possess any of these items. This
1.12 prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that
1.13 a school district owns, leases, rents, contracts for, or controls.

1.14 (b) Nothing in this section shall prohibit the lighting of tobacco by an adult as a part of
1.15 a traditional Indian spiritual or cultural ceremony. For purposes of this section, an Indian
1.16 is a person who is a member of an Indian tribe as defined in section 260.755 subdivision
1.17 12.

1.18 (c) Nothing in this section shall prohibit lighting or possessing tobacco in a public school
1.19 if lighting or possessing tobacco is part of a science experiment or educational demonstration
1.20 that is conducted in a laboratory or classroom within the school under the direct supervision
1.21 of a teacher and the experiment or demonstration is conducted in such a way as to prevent
1.22 smoke or vapor from the lit tobacco from being inhaled or ingested by students.

1.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.