SENATE BILL NO. 434

BY SENATOR MIZELL AND REPRESENTATIVE THOMPSON

1	AN ACT
2	To amend and reenact R.S. 17:240(A)(2), (B)(2), and (C)(2), relative to the use of vapes at
3	school; to provide relative to smoking or vaping marijuana, tetrahydrocannabinol,
4	or chemical derivatives on any school property; to provide for punishment; and to
5	provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 17:240(A)(2), (B)(2), and (C)(2) are hereby amended and reenacted
8	to read as follows:
9	§240. Prohibition against use of tobacco and marijuana in schools; prohibition
10	against smoking on school bus; rules and regulations
11	A. For purposes of this Section the following terms shall have the following
12	meanings unless the context clearly indicates otherwise:
13	* * *
14	(2) "Smoking" means possession of a lighted cigar, cigarette, pipe, or any
15	other lighted tobacco or marijuana product, including but not limited to e-cigs, e-
16	cigarettes, electronic cigarettes, advanced personal vaporizers, vape pens, and vape
17	mods.
18	B.(1) * * *
19	(2)(a) No person shall smoke or carry a lighted cigar, cigarette, pipe, or any
20	other form of smoking object or device, including but not limited to e-cigs, e-
21	cigarettes, electronic cigarettes, advanced personal vaporizers, vape pens, and vape
22	mods on any school property.
23	(b) No person shall smoke or vape any form of marijuana as defined by
24	R.S. 40:961, or a substance classified in Schedule I that is marijuana,
25	tetrahydrocannabinol, or chemical derivatives thereof on any school property.
26	* * *
27	C.(1) * * *

SB NO. 434 ENROLLED 1 (2)(a) The governing authority of each public elementary or secondary school 2 and each nonpublic elementary or secondary school may provide for appropriate 3 penalties for violators, including but not limited to disciplinary action or a fine not 4 to exceed two hundred dollars, or both. 5 (b) Any person who violates Subparagraph (B)(2)(b) of this Section shall be subject to punishment pursuant to R.S. 40:981.3(A)(1). 6 7 8 Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature 9 10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 11 vetoed by the governor and subsequently approved by the legislature, this Act shall become 12 effective on the day following such approval. PRESIDENT OF THE SENATE SPEAKER OF THE HOUSE OF REPRESENTATIVES GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: