

Department of Legislative Services  
Maryland General Assembly  
2014 Session

FISCAL AND POLICY NOTE

Senate Bill 288  
Finance

(Senator Zirkin)

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Public Schools - Smoking on School Property - Prohibition

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This bill prohibits smoking on public school property at all times. It defines “smoking” as the burning of a lighted cigarette, cigar, pipe, or other device or substance that contains tobacco. An individual who violates this bill is subject to a civil penalty of \$50 for each violation.

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Fiscal Summary

**State Effect:** Enforcement can be handled with existing resources. Potential negligible increase in general fund revenue from civil fines.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** Current regulations require each local school system to maintain a tobacco-free school environment. The sale or use of tobacco in school buildings in any form is prohibited by everyone, including teachers, other staff, and students at all times. In addition, the sale or use of tobacco in any form is prohibited on school grounds during the school day. Each local school system must post notification to students, staff, and the general public that school buildings and grounds are tobacco-free. Additionally, each local school system is encouraged to make smoking cessation classes available to all employees. Students are prohibited from possessing or using tobacco in any form on the school premises. Further, as stated in § 24-504 of the Health-General Article, smoking is prohibited in any indoor place of employment. This prohibition encompasses teachers’

lounges and other private areas within a school building. However, statute does not specifically prohibit smoking on public school property.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education, Department of Health and Mental Hygiene, Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - February 5, 2014  
ncs/ljm

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