

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 4338

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DATE
03/16/2020

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Introduction and first reading
Referred to Health and Human Services Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to health; creating an exception to tobacco in public schools; amending
1.3 Minnesota Statutes 2019 Supplement, section 144.4165.

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

1.5 Section 1. Minnesota Statutes 2019 Supplement, section 144.4165, is amended to read:

1.6 **144.4165 TOBACCO PRODUCTS PROHIBITED IN PUBLIC SCHOOLS.**

1.7 (a) No person shall at any time smoke, chew, or otherwise ingest tobacco or a tobacco
1.8 product, or carry or use an activated electronic delivery device as defined in section 609.685,
1.9 subdivision 1, in a public school, as defined in section 120A.05, subdivisions 9, 11, and 13,
1.10 or in a charter school governed by chapter 124E, and no person under the age of 18 shall
1.11 possess any of these items. This prohibition extends to all facilities, whether owned, rented,
1.12 or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls.

1.13 (b) Nothing in this section shall prohibit the lighting of tobacco by an adult as a part of
1.14 a traditional Indian spiritual or cultural ceremony. An American Indian student may carry
1.15 a medicine pouch containing loose tobacco intended in observance of traditional spiritual
1.16 or cultural practices. For purposes of this section, an Indian is a person who is a member
1.17 of an Indian tribe as defined in section 260.755, subdivision 12.