

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE BILL 2691**

Short Title: Tobacco-Free Schools/Discretionary.

(Public)

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Sponsors: Representative Allred.

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Referred to: Education.

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May 28, 2008

A BILL TO BE ENTITLED

1  
2 AN ACT ALLOWING LOCAL SCHOOL BOARDS TO ADOPT POLICIES  
3 PROHIBITING THE USE OF TOBACCO PRODUCTS IN SCHOOL  
4 BUILDINGS, FACILITIES, CAMPUSES, AND SCHOOL-SPONSORED  
5 EVENTS.

6 The General Assembly of North Carolina enacts:

7       **SECTION 1.** G.S. 115C-407 reads as rewritten:

8 "**§ 115C-407. Policy prohibiting tobacco use in school buildings, grounds, and at**  
9 **school-sponsored events.**

10       (a) ~~Not later than August 1, 2008, local~~ Local boards of education shall ~~may~~  
11 adopt, implement, and enforce a written policy prohibiting at all times the use of any  
12 tobacco product by any person in school buildings, in school facilities, on school  
13 campuses, and in or on any other school property owned or operated by the local school  
14 administrative unit. The policy shall ~~may~~ further prohibit the use of all tobacco products  
15 by persons attending a school-sponsored event at a location not listed in this subsection  
16 when in the presence of students or school personnel or in an area where smoking is  
17 otherwise prohibited by law.

18       (b) The policy shall ~~include at least all of~~ may include the following elements:

19           (1) Adequate notice to students, parents, the public, and school personnel  
20           of the policy.

21           (2) Posting of signs prohibiting at all times the use of tobacco products by  
22           any person in and on school property.

23           (3) Requirements that school personnel enforce the policy.

24       (c) The policy may permit tobacco products to be included in instructional or  
25 research activities in public school buildings if the activity is conducted or supervised  
26 by the faculty member overseeing the instruction or research and the activity does not  
27 include smoking, chewing, or otherwise ingesting the tobacco product.

28       (d) The North Carolina Health and Wellness Trust Fund Commission shall work  
29 with local boards of education to provide assistance with the implementation of this

1 policy including providing information regarding smoking cessation and prevention  
2 resources. Nothing in this section, G.S. 143-595 through G.S. 143-601, or any other  
3 section prohibits a local board of education from adopting and enforcing a more  
4 restrictive policy on the use of tobacco in school buildings, in school facilities, on  
5 school campuses, or at school-related or school-sponsored events, and in or on other  
6 school property."

7 **SECTION 2.** There is appropriated from the General Fund to the State  
8 Board of Education the sum of \$ for the 2008-2009 fiscal year. These funds shall be  
9 used to assist local boards of education in implementing policy changes pertaining to  
10 tobacco use in school buildings and facilities, on school campuses, and at school-related  
11 or school-sponsored events.

12 **SECTION 3.** This act is effective when it becomes law.