

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

SESSION LAW 2007-236
SENATE BILL 1086

AN ACT TO PROTECT CHILDREN IN THE PUBLIC SCHOOLS FROM EXPOSURE TO TOBACCO BY REQUIRING LOCAL BOARDS OF EDUCATION TO ADOPT WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS IN SCHOOL BUILDINGS, IN SCHOOL FACILITIES, ON SCHOOL CAMPUSES, OR AT SCHOOL-RELATED OR SCHOOL-SPONSORED EVENTS, AND IN OR ON OTHER SCHOOL PROPERTY.

The General Assembly of North Carolina enacts:

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

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

(a) Not later than August 1, 2008, ~~Local~~ local boards of education shall ~~adopt~~ adopt, implement, and enforce a written policy providing for enforcement of federal requirements under the Pro Children Act of 1994, 20 U.S.C. § 6083, prohibiting smoking within any school building used to provide routine or regular kindergarten, elementary, or secondary education or library services to children prohibiting at all times the use of any tobacco product by any person in school buildings, in school facilities, on school campuses, and in or on any other school property owned or operated by the local school administrative unit. The policy shall further prohibit the use of all tobacco products in enclosed school buildings during regular school hours, and shall include: by persons attending a school-sponsored event at a location not listed in this subsection when in the presence of students or school personnel or in an area where smoking is otherwise prohibited by law.

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

- (1) Adequate notice to students, parents, the public, and school personnel of the policy.
- (2) Posting of signs regarding prohibiting at all times the use of tobacco products by any ~~person~~ person in and on school property.
- (3) Requirements that school personnel enforce the policy.

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

(d) The North Carolina Health and Wellness Trust Fund Commission shall work with local boards of education to provide assistance with the implementation of this policy including providing information regarding smoking cessation and prevention resources. Nothing in this section, G.S. 143-595 through G.S. 143-601, or any other section prohibits a local board of education from adopting and enforcing a more restrictive policy on the use of tobacco in school buildings, in school facilities, on school campuses, or at school-related or school-sponsored events, and in or on other school property."

SECTION 2. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 9th day of July,
2007.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:48 a.m. this 18th day of July, 2007