

ASSEMBLY, No. 1398

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman BUONO

1 AN ACT concerning the use of tobacco products in public schools and  
2 amending P.L.1981 c.320.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7 1. Section 3 of P.L. 1981, c.320 (C.26:3D-17) is amended to read  
8 as follows:

9 3. a. The appropriate governing body, board or individual  
10 responsible for or who has control of the administration of a school,  
11 college, university, or professional training school, either public or  
12 private, except the board of education of a school district, shall make  
13 and enforce suitable regulations controlling the smoking of tobacco on  
14 their premises, except in those areas within the premises wherein  
15 smoking is prohibited by municipal ordinance under authority of  
16 R.S.40:48-1 and 40:48-2 or by any other statute or regulation adopted  
17 pursuant to law for purposes of protecting life and property from fire.  
18 The governing body, board or individual may, but need not, designate  
19 certain areas within the premises as areas in which smoking is  
20 permitted. Smoking in classrooms, lecture halls and auditoriums shall  
21 be prohibited except as part of a classroom instruction or a theatrical  
22 production.

23 b. The board of education of each school district shall make and  
24 enforce regulations to prohibit the smoking of tobacco or the use of  
25 any other tobacco product anywhere in its buildings or on school  
26 grounds except as part of a classroom instruction or a theatrical  
27 production. Each board of education shall also make and enforce  
28 regulations to prohibit the smoking of tobacco or the use of any other  
29 tobacco product by a student while the student is taking part in a  
30 school-sponsored function or activity.

31 (cf: P.L.1989, c.96, s.1)

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33 2. This act shall take effect immediately.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

STATEMENT

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This bill provides that smoking or the use of any other tobacco product shall be prohibited anywhere in a public school building or on school grounds. Currently, smoking is prohibited within school buildings. The bill also provides that each board of education shall make and enforce regulations which prohibit the smoking of tobacco or the use of any other tobacco product by a student while the student is taking part in a school-sponsored function or activity.

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Prohibits the use of tobacco products on school grounds or at school-sponsored functions.