

By Senator Rader

29-00300-19

2019150__

1 A bill to be entitled
2 An act relating to tobacco-free schools; creating s.
3 1013.29, F.S.; requiring each school district to adopt
4 a policy that prohibits the use or distribution of
5 tobacco products in school facilities, on school
6 grounds, in school vehicles, and at school functions;
7 requiring that such policies apply to specified
8 individuals, facilities, real property, organizations
9 that use school property, and any person who
10 supervises students off school grounds during certain
11 activities; requiring that each school district adopt
12 a procedure for communicating the policy to certain
13 individuals; requiring that each school district adopt
14 a policy to refer individuals to voluntary cessation
15 education and support programs that address tobacco
16 use; requiring each school district to provide an
17 electronic copy of its current policy to the
18 Department of Education and provide revisions within a
19 certain timeframe; prohibiting the use of school
20 facilities, school real property, or vehicles owned by
21 a school district for the advertisement of any tobacco
22 product; amending s. 386.212, F.S.; conforming
23 provisions to changes made by the act; specifying that
24 the section applies to any person operating certain
25 vehicles; providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Section 1013.29, Florida Statutes, is created to

29-00300-19

2019150__

30 read:

31 1013.29 Tobacco-free schools policy.-

32 (1) Each school district shall:

33 (a) Adopt a tobacco-free schools policy that prohibits the
34 use or distribution of tobacco products in auxiliary facilities,
35 educational facilities, and core facilities; on school grounds;
36 in any vehicle owned, operated, rented, contracted, or leased by
37 a school district; and at all school functions. At a minimum,
38 the policy must apply to:

39 1. Faculty, administrators, and staff, including school bus
40 drivers.

41 2. Any facility, real property, or vehicle used for school
42 activities when students, faculty, administrators, or staff are
43 present.

44 3. Any organizations using school facilities, real
45 property, or vehicles owned by the school district.

46 4. Any person who supervises students off school grounds
47 during school-sponsored activities.

48 (b) Adopt procedures to communicate the tobacco-free policy
49 to school faculty, administrators, and staff; students; parents,
50 guardians, relative caregivers, and families of students;
51 visitors; and the public.

52 (c) Adopt a policy to refer individuals to voluntary
53 cessation education and support programs that address tobacco
54 use.

55 (d) Provide an electronic copy of its current tobacco-free
56 policy to the Department of Education and provide the department
57 with any revisions to the policy within 90 days after adoption.

58 (2) Any facility, real property, or vehicle owned by a

29-00300-19

2019150__

59 school district may not be used for the advertisement of any
60 tobacco product.

61 Section 2. Subsection (1) of section 386.212, Florida
62 Statutes, is amended to read:

63 386.212 Smoking prohibited near school property; penalty.—

64 (1) It is unlawful for any person ~~under 18 years of age~~ to
65 smoke tobacco in, on, or within 1,000 feet of the real property
66 comprising a public or private elementary, middle, or secondary
67 school ~~between the hours of 6 a.m. and midnight~~. This section
68 does not apply to any person within a private residence or
69 occupying a moving vehicle, excluding any vehicle owned,
70 operated, rented, contracted, or leased by a school district or
71 ~~within a private residence.~~

72 Section 3. This act shall take effect July 1, 2019.