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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **441**

01/17/2023 Authored by Kozlowski, Richardson, Keeler, Becker-Finn, Pérez-Vega and others
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to health; creating a certain exception to tobacco in public schools;
1.3 amending Minnesota Statutes 2022, section 144.4165.

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

1.5 Section 1. Minnesota Statutes 2022, 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 carry or
1.8 use an activated electronic delivery device as defined in section 609.685, subdivision 1, in
1.9 a public school, as defined in section 120A.05, subdivisions 9, 11, and 13, or in a charter
1.10 school governed by chapter 124E. This prohibition extends to all facilities, whether owned,
1.11 rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or
1.12 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.