

SENATE BILL 288

F1, J1

4lr1548

By: ~~Senator Zirkin~~ **Senators Zirkin and Forehand**

Introduced and read first time: January 17, 2014

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 19, 2014

CHAPTER _____

1 AN ACT concerning

2 **Public Schools – Smoking on the Grounds of School Property – Prohibition**

3 FOR the purpose of ~~prohibiting an individual from~~ authorizing a county board of
4 education to prohibit smoking a tobacco product at any time on the grounds of
5 public school property; establishing ~~a penalty~~ certain penalties for a violation of
6 a prohibition imposed under this Act; defining a certain term; and generally
7 relating to prohibitions against tobacco smoking on the grounds of school
8 property.

9 BY adding to

10 Article – Education

11 Section 26–105

12 Annotated Code of Maryland

13 (2008 Replacement Volume and 2013 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Education**

17 **26–105.**

18 **(A) IN THIS SECTION, “SMOKING” MEANS THE BURNING OF A LIGHTED**
19 **CIGARETTE, CIGAR, PIPE, OR OTHER DEVICE OR SUBSTANCE THAT CONTAINS**
20 **TOBACCO.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(B) ~~AN INDIVIDUAL MAY NOT ENGAGE IN A COUNTY BOARD OF~~**
2 **EDUCATION MAY PROHIBIT SMOKING AT ANY TIME ON ~~THE GROUNDS OF PUBLIC~~**
3 **SCHOOL PROPERTY.**

4 **(C) AN INDIVIDUAL WHO VIOLATES A PROHIBITION IMPOSED UNDER**
5 **THIS SECTION IS SUBJECT TO ~~A CIVIL PENALTY OF \$50 FOR EACH VIOLATION~~**
6 **THE FOLLOWING PENALTIES:**

7 **(1) FOR A FIRST OFFENSE, THE ISSUANCE OF A WARNING THAT**
8 **INFORMS THE OFFENDER OF THE REQUIREMENTS OF THIS SECTION; AND**

9 **(2) FOR A SECOND OR SUBSEQUENT OFFENSE, A CIVIL PENALTY**
10 **OF \$50 FOR EACH VIOLATION.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2014.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.