

2024 Regular Session

SENATE BILL NO. 434

BY SENATOR MIZELL

SCHOOLS. Provides relative to the use of vapes at school. (gov sig)

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AN ACT

To amend and reenact R.S. 17:240(A)(2), (B)(2), and (C)(2), to provide relative to the use of vapes at school; to provide relative to smoking or vaping marijuana, tetrahydrocannabinol, or chemical derivatives on any school property; to provide for punishment; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:240(A)(2), (B)(2), and (C)(2) are hereby amended and reenacted to read as follows:

§240. Prohibition against use of tobacco **and marijuana** in schools; prohibition against smoking on school bus; rules and regulations

A. For purposes of this Section the following terms shall have the following meanings unless the context clearly indicates otherwise:

\* \* \*

(2) "Smoking" means possession of a lighted cigar, cigarette, pipe, or any other lighted tobacco **or marijuana** product, including but not limited to e-cigs, e-cigarettes, electronic cigarettes, advanced personal vaporizers, vape pens, and vape mods.

1                    B.(1)                    \*           \*           \*

2                    (2)(a) No person shall smoke or carry a lighted cigar, cigarette, pipe, or any  
3 other form of smoking object or device, including but not limited to e-cigs, e-  
4 cigarettes, electronic cigarettes, advanced personal vaporizers, vape pens, and vape  
5 mods on any school property.

6                    **(b) No person shall smoke or vape any form of marijuana as defined by**  
7 **R.S. 40:961, or a substance classified in Schedule I that is marijuana,**  
8 **tetrahydrocannabinol, or chemical derivatives thereof on any school property.**

9                    \*           \*           \*

10                   C.(1)                    \*           \*           \*

11                   (2)(a) The governing authority of each public elementary or secondary school  
12 and each nonpublic elementary or secondary school may provide for appropriate  
13 penalties for violators, including but not limited to disciplinary action or a fine not  
14 to exceed two hundred dollars, or both.

15                   **(b) Any person who violates Subparagraph (2)(b) of Subsection B of this**  
16 **Section shall be subject to punishment pursuant to R.S. 40:981.3(A)(1).**

17                    \*           \*           \*

18                   Section 2. This Act shall become effective upon signature by the governor or, if not  
19 signed by the governor, upon expiration of the time for bills to become law without signature  
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
21 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
22 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Mary Frances Aucoin.

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SB 434 Original                    DIGEST                    2024 Regular Session                    Mizell

Present law prohibits the use of tobacco on any school property.

Proposed law retains present law and further provides that smoking or vaping any form of  
marijuana on any school property is prohibited.

Proposed law provides for punishment pursuant to R.S. 40:981.3(A)(1) for any person who smokes or vapes any form of marijuana on any school property.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:240(A)(2), (B)(2), and (C)(2))