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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christopher D. Adams.

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## DIGEST

Heitmeier (SB 514)

Proposed law prohibits smoking, as provided in present law, within 200 feet of the entrances, exits, or outdoor areas of any public or private elementary or secondary school.

Proposed law shall not apply to smoking by a person of the legal age within private property that is within the 200 feet boundary or to smoking by a person of the legal age occupying a moving vehicle in which smoking is not prohibited that is traveling through an area within the 200 feet boundary. Proposed law's exception does not include property of a private elementary or secondary school.

Proposed law requires the state superintendent of education, with the approval of the State Board of Elementary and Secondary Education, to develop a method by which to mark smoke free areas, including the use of signs or other markings suitable to the situation.

Proposed law provides that any law enforcement officer may issue a citation and summons to appear before a court of proper jurisdiction for violating the proposed law.

Proposed law provides that any person who is guilty of a violation of the proposed law shall, upon a first offense, be fined \$25 dollars. Any person who is guilty of violating the proposed law a second time shall be fined \$50, and any person who is guilty of violating the proposed law a third or subsequent time shall be fined \$100.

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

(Adds R.S. 40:1300.264)