State of Arkansas

89th General Assembly
Regular Session, 2013

By: Senators D. Johnson, J. Key
By: Representatives Davis, Clemmer, J. Edwards, Love

For An Act To Be Entitled

AN ACT TO PROHIBIT THE USE OF E-CIGARETTES ON PUBLIC SCHOOL PROPERTY; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT THE USE OF E-CIGARETTES ON PUBLIC SCHOOL PROPERTY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-21-609 is amended to read as follows:

6-21-609. Prohibition against smoking or, the use of tobacco or tobacco products, or the use of e-cigarettes.

(a) As used in this section, "e-cigarette" means an electronic oral device that provides a vapor of nicotine or another substance that, when used or inhaled simulates smoking, including without limitation a device that:

(1) Is composed of a heating element, battery, electronic circuit, or a combination of heating element, battery, electronic circuit;

(2) Works in combination with a liquid nicotine delivery device composed either in whole or in part of pure nicotine and propylene glycol and manufactured for use with e-cigarettes; and

(3) Is manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pip, or under any other name or descriptor.

(b) Smoking tobacco or, the use of tobacco or tobacco products, or the use of e-cigarettes, containing tobacco in any form in or on any property owned or leased by a public school district, including school buses, is prohibited.
(1) In or on real property owned or leased by a public school district, including a public charter school; or
(2) In or on personal property, including without limitation school buses, owned or leased by a public school district, including a public charter school.

(b) (c) A copy of this statute shall be posted in a conspicuous location at every entrance to each building owned or leased by a public school district and every school bus used to transport public school students.

(c) (d) Any person violating the provisions of this section shall be guilty of committing a violation and upon conviction shall be punished punishable by a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100).

/s/D. Johnson

APPROVED: 04/11/2013