

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 2372**

(SENATE AUTHORS: KUNESH)

DATE  
03/02/2023

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1264

Introduction and first reading  
Referred to Health and Human Services

OFFICIAL STATUS

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.