

1 AN ACT relating to prevention of smoking and vaping by students.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 156 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Alternative nicotine product" has the same meaning as in KRS 438.305;*

7 *(b) "Tobacco product" has the same meaning as in KRS 438.305; and*

8 *(c) "Vapor product" has the same meaning as in KRS 438.305.*

9 *(2) The Department of Education shall encourage local school boards to provide an*
10 *awareness program for faculty, staff, and students to increase awareness of the*
11 *dangers of vaping and the warning signs of student use.*

12 *(3) The Department of Education shall establish, maintain, and publicize a*
13 *mechanism by which students may anonymously report concerns pertaining to*
14 *the use, distribution, or possession of any alternative nicotine product, tobacco*
15 *product, or vapor product on school property or during school-sponsored events.*

16 *(4) The anonymous reporting mechanism may consist of:*

17 *(a) A toll-free hotline;*

18 *(b) An electronic system; or*

19 *(c) Other mechanism which the department reasonably determines will ensure*
20 *anonymity for students utilizing the mechanism.*

21 *(5) The department shall establish policies for the prompt investigation of reports*
22 *made by students to the anonymous reporting mechanism. The policies shall*
23 *include but not be limited to:*

24 *(a) Identification of the timeframe and manner in which the investigations*
25 *must occur;*

26 *(b) A requirement for the prompt, written notice to parents or legal guardians*
27 *of each student for whom there is a substantiated finding of use,*

1 distribution, or possession of an alternative nicotine product, tobacco
2 product or vapor product, on school property or during school-sponsored
3 events; and

4 (c) A uniform process by which each student found to have used, possessed, or
5 distributed alternative nicotine products, tobacco products, or vapor
6 products on school property or during school-sponsored events will be
7 referred to smoking and vaping cessation services.

8 (6) Any child who is found to have a substantiated report of having used, possessed
9 or distributed alternative nicotine products, tobacco products, or vapor products
10 pursuant to subsection (5) of this section or who voluntarily self-identifies as
11 having done so may participate in smoking and vaping cessation services offered
12 by his or her local school district or local health department or their contracted
13 agents at no cost.