

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) Local school districts shall provide an awareness program for faculty, staff, and*
10 *students to increase awareness of the dangers of vaping and the warning signs of*
11 *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 of Education reasonably*
20 *determines will ensure anonymity for students utilizing the mechanism.*

21 *(5) The Department of Education shall establish policies for local school districts to*
22 *engage in the prompt investigation of reports made by students to the anonymous*
23 *reporting mechanism. The policies shall 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 or oral notice to parents or legal*
27 *guardians 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 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 health department at no cost.