Local Government Mandate Statement Kentucky Legislative Research Commission 2019 Regular Session

Part I: Measure Information

Bill Request #: 1139
Bill #: SB 218 HCS
Document ID #: 6315
Bill Subject/Title: AN ACT relating to smoking and vaping by students.
Sponsor: Senator Brandon Smith
Unit of Government: City x County x Urban-County Unified Local
x Charter County x Consolidated Local x Government
Office(s) Impacted: Local health departments
Requirement: Mandatory _x Optional
Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

SB 218 HCS creates a new section of KRS Chapter 156 to require the Department of Education to establish an anonymous reporting mechanism for students to report concerns about vaping and other substances in schools and establishes policies for the prompt investigation of reports to the anonymous reporting mechanism. Local school boards are to be encouraged to provide awareness programs to teachers, students, and staff about vaping. SB 218 HCS provides that a child may participate in a local health department smoking and vaping cessation program at no cost.

The fiscal impact of SB 218 HCS is nil to minimal. Contacted local health departments currently providing smoking cessation services (classes) offer them free of charge. The bill does not mandate attendance at such classes, or that such classes be provided. Some adjustment to existing smoking cessation courses may be in order to respond to vaping.

Part III: Differences to Local Government Mandate Statement from Prior Versions

SB 218 HCS retains all provisions of SB 218 GA but clarifies that the Department of Education "shall establish a requirement for the prompt written notice to parents and legal guardians of each student for whom there is a substantiated finding of use, distribution, or possession of an alternative nicotine product, tobacco product, or vapor product, on school property or during school-sponsored events;"

SB 218 HCS effects no change to the fiscal impact of SB 218 GA as passed by the Senate.

SB 218 GA passed SB 218 with Floor Amendment 3 which reads as follows:

"on page 1, line 26, after "parents" by inserting the following:

"or legal guardians of each student for whom there is a substantiated finding of use, distribution, or possession of an alternative nicotine product, tobacco product or vapor product, on school property or during school-sponsored events"; and on page 1, line 26, after "parents" by deleting "of each substantiated finding".

Data Source(s): Franklin County Health Department; Shelby County Health Department,

Woodford County Health Department.

Preparer: H. Marks **Reviewer:** KHC **Date:** 3/14/19