

ASSEMBLY, No. 2138

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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District 38 (Bergen and Passaic)

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SYNOPSIS

Establishes pilot program in DOE to purchase and install electronic smoking device detectors in restrooms of certain public schools.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the installation of electronic smoking device
2 detectors in certain public schools.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. As used in this act:

8 “Electronic smoking device” means a nonlighted,
9 noncombustible device that employs a mechanical heating element,
10 battery, or circuit, regardless of shape or size, to produce
11 aerosolized or vaporized nicotine for inhalation into the body of a
12 person including, but not limited to, a device that is manufactured,
13 distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-
14 hookah, vape pen, or any other similar product with any other
15 product name or descriptor.

16

17 2. a. The Commissioner of Education shall establish a three-
18 year pilot program under which the Department of Education shall
19 provide for the purchase and installation of electronic smoking
20 device detectors in the restrooms of schools serving any of the
21 grades 7 through 12 in selected school districts. The goal of the
22 pilot program shall be to study the effect of electronic smoking
23 device detectors on deterring electronic smoking device use by
24 students in schools.

25 b. A school district that wants to participate in the pilot
26 program shall submit an application to the commissioner. The
27 application shall include, but need not be limited to: the number of
28 schools serving any of the grades 7 through 12 in the school district;
29 the number of students enrolled in each school; the number of
30 restrooms accessible to students in each school; information on
31 student use of electronic smoking devices in each school; and
32 information on the rate of electronic smoking device use in the local
33 community.

34 c. The commissioner, in consultation with the Department of
35 Health, shall identify municipalities with the highest rate of persons
36 under 18 years of age using electronic smoking devices. The
37 commissioner shall select up to 12 school districts for participation
38 in the pilot program, and they shall be, to the greatest extent
39 possible, located in municipalities which have been identified by
40 the commissioner pursuant to this subsection.

41 d. No later than June 30 of the third school year following the
42 establishment of the pilot program, the commissioner shall submit
43 to the Governor, and to the Legislature pursuant to section 2 of
44 P.L.1991, c.164 (C:52:14-19.1), a report that evaluates the
45 effectiveness of the pilot program in deterring electronic smoking
46 device use by students in schools.

47

48 3. This act shall take effect immediately.

STATEMENT

This bill establishes a three-year pilot program under which the Department of Education will provide for the purchase and installation of electronic smoking device detectors in the restrooms of schools serving any of the grades 7 through 12 in selected school districts. The goal of the pilot program will be to study the effect of electronic smoking device detectors on deterring electronic smoking device use by students in schools.

Under the bill, a school district that wants to participate in the pilot program is required to submit an application to the commissioner. The application is required to include, but need not be limited to: the number of schools serving any of the grades 7 through 12 in the school district; the number of students enrolled in each school; the number of restrooms accessible to students in each school; information on student use of electronic smoking devices in each school; and information on the rate of electronic smoking device use in the local community.

The commissioner, in consultation with the Department of Health, will identify municipalities with the highest rate of persons under 18 years of age using electronic smoking devices. The commissioner will select up to 12 school districts for participation in the pilot program, and they will be, to the greatest extent possible, located in municipalities identified by the commissioner as having high rates of electronic smoking device use by persons under 18 years of age.

No later than June 30 of the third school year following the establishment of the pilot program, the commissioner will submit to the Governor and to the Legislature a report that evaluates the effectiveness of the pilot program in deterring electronic smoking device use by pupils in schools.