

SENATE BILL No. 1431

September 28, 2004, Introduced by Senators JACOBS, GEORGE, THOMAS, CHERRY and BRATER and referred to the Committee on Education.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 473a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 473a. (1) A person shall not use a tobacco product on
2 school property.

3 (2) A person who violates subsection (1) is guilty of a
4 misdemeanor punishable by a fine of not more than \$50.00.

5 (3) As used in this section:

6 (a) "Public school academy" means a public school academy,
7 urban high school academy, or strict discipline academy organized and
8 operating under the revised school code, 1976 PA 451, MCL 380.1
9 to 380.1852.

10 (b) "School property" means a building, facility, or
11 structure and other real estate owned, leased, or otherwise

1 controlled by a public school academy. School property includes
2 outdoor areas.

3 (c) "Tobacco product" means a preparation of tobacco to be
4 inhaled, chewed, or placed in a person's mouth.

5 (d) "Use a tobacco product" means any of the following:

6 (i) The carrying by a person of a lighted cigar, cigarette,
7 pipe, or other lighted smoking device.

8 (ii) The inhaling or chewing of a tobacco product.

9 (iii) The placing of a tobacco product within a person's
10 mouth.

11 Enacting section 1. This amendatory act does not take
12 effect unless Senate Bill No. 1430

13 of the 92nd Legislature is enacted into
14 law.