

1.1 moves to amend H.F. No. 331, the second engrossment, as follows:

1.2 Page 1, delete sections 1 and 2 and insert:

1.3 "Section 1. Minnesota Statutes 2019 Supplement, section 144.4165, is amended to read:

1.4 **144.4165 TOBACCO PRODUCTS PROHIBITED IN PUBLIC SCHOOLS.**

1.5 No person shall at any time smoke, chew, or otherwise ingest tobacco ~~or a tobacco~~
1.6 ~~product~~, or carry or use an activated electronic delivery device as defined in section 609.685,
1.7 subdivision 1, in a public school, as defined in section 120A.05, subdivisions 9, 11, and 13,
1.8 or in a charter school governed by chapter 124E, ~~and no person under the age of 18 shall~~
1.9 ~~possess any of these items~~. This prohibition extends to all facilities, whether owned, rented,
1.10 or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls.
1.11 Nothing in this section shall prohibit the lighting of tobacco by an adult as a part of a
1.12 traditional Indian spiritual or cultural ceremony. For purposes of this section, an Indian is
1.13 a person who is a member of an Indian tribe as defined in section 260.755, subdivision 12.

1.14 Sec. 2. Minnesota Statutes 2019 Supplement, section 144.4167, subdivision 4, is amended
1.15 to read:

1.16 Subd. 4. **Tobacco products shop.** Sections 144.414 to 144.417 do not prohibit the
1.17 lighting, heating, or activation of tobacco in a tobacco products shop by a customer or
1.18 potential customer for the specific purpose of sampling tobacco products. For the purposes
1.19 of this subdivision, a tobacco products shop is a retail establishment that has an entrance
1.20 door opening directly to the outside, that cannot be entered at any time by persons younger
1.21 than 21 years of age, and that derives more than 90 percent of its gross revenue from the
1.22 sale of tobacco, tobacco-related devices, and electronic delivery devices, as defined in
1.23 section 609.685, and in which the sale of other products is merely incidental. "Tobacco

- 2.1 products shop" does not include a tobacco department or section of any individual business
- 2.2 establishment with any type of liquor, food, or restaurant license."
- 2.3 Page 2, line 29, after the second comma insert "or"
- 2.4 Renumber the sections in sequence and correct the internal references
- 2.5 Amend the title accordingly