

Subject Electronic delivery devices; Clean Indoor Air Act

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Overview

This bill modifies the definition of smoking in the Clean Indoor Air Act to include carrying or using an activated electronic delivery device. An electronic delivery device is a product containing or delivering nicotine, lobelia, or any other substance, that a person uses to simulate smoking by inhaling vapor from the product. Under current law the use of electronic delivery devices is prohibited at day care premises, at health care facilities and clinics, in state and local government buildings, in buildings owned by a public college or university, and in certain facilities licensed by the Department of Human Services or the Minnesota Department of Health. Adding carrying or using an activated electronic delivery device to the definition of smoking means that carrying or using an activated electronic delivery device is prohibited in the same locations as smoking under the Clean Indoor Air Act: in public places, at a public meeting, in a place of employment, or in public transportation.

Summary

Section	Description
1	<p>Scope.</p> <p>Amends § 144.413, subd. 1. Corrects a statutory citation listing statutes to which the definitions in this section apply, to make these definitions apply to the entire Clean Indoor Air Act.</p>
2	<p>Public policy.</p> <p>Amends § 144.412. Expands the public purposes of the Clean Indoor Air Act to include protecting employees and the public from involuntary exposure to aerosol or vapor from electronic delivery devices.</p>
3	<p>Smoking.</p> <p>Amends § 144.413, subd. 4. The Clean Indoor Air Act prohibits smoking in certain locations. This subdivision amends the definition of smoking for the act, by:</p> <ul style="list-style-type: none">▪ specifying that smoking includes burning or carrying a lighted or heated cigar, cigarette, pipe, or other product;

Section	Description
	<ul style="list-style-type: none">▪ specifying that a lighted or heated product may contain, be made from, or be derived from nicotine, tobacco, marijuana, or another plant; and▪ specifying that smoking includes carrying or using an activated electronic delivery device.
4	<p>Day care premises.</p> <p>Amends § 144.414, subd. 2. Strikes language that includes the use of electronic delivery devices in the definition of smoking for purposes of prohibiting smoking in day care premises. (This language is no longer needed since another section adds the use of electronic delivery devices to the definition of smoking for the entire act.)</p>
5	<p>Health care facilities and clinics.</p> <p>Amends § 144.414, subd. 3. Strikes language that includes the use of electronic delivery devices in the definition of smoking for purposes of prohibiting smoking in health care facilities and clinics. (This language is no longer needed since another section adds the use of electronic delivery devices to the definition of smoking for the entire act.)</p>
6	<p>Responsibilities of proprietors.</p> <p>Amends § 144.416. In a section establishing responsibilities under the Clean Indoor Air Act for proprietors of public places, public transportation, places of employment, and public meetings, provides that the act does not prohibit a proprietor or other person or entity in charge from taking more stringent measures to protect individuals from involuntary exposure to aerosol or vapor from electronic delivery devices.</p>
7	<p>Tobacco products prohibited in public schools.</p> <p>Amends § 144.4165. In a section prohibiting the use or ingestion of tobacco products at public schools and preventing persons under 18 from possessing these items, modifies the prohibited conduct related to electronic delivery devices to conform with the terms added to the definition of smoking (the new language provides that no person shall carry or use an activated electronic delivery device).</p>
8	<p>Local government ordinances.</p> <p>Amends § 144.417, subd. 4. In a subdivision governing authority of local governments under the Clean Indoor Air Act, provides that the act does not prohibit a local government from enacting more stringent measures to protect individuals from involuntary exposure to aerosol or vapor from electronic delivery devices.</p>

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Repealer.

Repeals Minnesota Statutes, section 144.414, subdivision 5, which prohibits the use of electronic delivery devices in state or local government buildings, buildings owned by a public college or university, and certain facilities licensed by the Department of Human Services or the Minnesota Department of Health; and specifies that political subdivisions and businesses may adopt more stringent prohibitions on the use of electronic delivery devices.



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