

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. 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, and the enforcement provisions in section 144.417 apply to persons who use electronic delivery devices in violation of the act.

Summary

Section	Description
1	<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>
2	<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 carrying a lighted or heated cigar, cigarette, pipe, or other product;▪ 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.
3	<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>

Section	Description
4	Health care facilities and clinics. 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.)
5	Tobacco products prohibited in public schools. 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).
6	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 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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