

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1558 Session of
1997

INTRODUCED BY PHILLIPS AND ALLEN, JUNE 3, 1997

REFERRED TO COMMITTEE ON EDUCATION, JUNE 3, 1997

AN ACT

1 Amending the act of April 27, 1927 (P.L.465, No.299), entitled,
2 as amended, "An act to provide for the safety of persons
3 employed, housed, or assembled in certain buildings and
4 structures by requiring certain construction and ways of
5 egress, equipment, and maintenance; providing for the
6 licensing of projectionists, except in cities of the first
7 class and second class; requiring the submission of plans for
8 examination and approval; providing for the promulgation of
9 rules and regulations for the enforcement of this act;
10 providing for the enforcement of this act by the Department
11 of Labor and Industry, the Department of Health, boards of
12 school directors and, in certain cases, by the chiefs of fire
13 departments in cities of the third class; providing penalties
14 for violations of the provisions of this act; and repealing
15 certain acts," further prohibiting the use of tobacco on
16 school grounds.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. Section 3.5 of the act of April 27, 1927
20 (P.L.465, No.299), referred to as the Fire and Panic Act, added
21 December 21, 1988 (P.L.1315, No.168), is amended to read:

22 Section 3.5. School Tobacco Control.--(a) Tobacco use [by
23 pupils] is prohibited in school buildings and school buses and
24 on school property owned by, leased by or under the control of a

1 school district.

2 (b) (1) The board of school directors [may designate
3 smoking areas for employees and] shall establish policy to
4 enforce the prohibition of tobacco use under this section.

5 (2) The board of school directors shall notify employees,
6 students and parents of the policy developed in subsection
7 (b)(1) by publishing the information in a student handbook and
8 parent newsletter, and on posters or other efficient means.

9 (c) This section supersedes any municipal ordinance or
10 school board regulation to the contrary.

11 (d) Notwithstanding the provisions of section 15, this
12 section shall apply throughout this Commonwealth.

13 (e) As used in this section, the following words and phrases
14 shall have the meanings given to them in this subsection:

15 "School" means a school operated by a joint board, board of
16 directors or school board where pupils are enrolled in
17 compliance with Article XIII of the act of March 10, 1949
18 (P.L.30, No.14), known as the "Public School Code of 1949." The
19 term includes elementary schools, secondary schools, area
20 vocational-technical schools and intermediate units.

21 "Smoking" includes possession of a lighted cigarette, cigar,
22 pipe or other lighted smoking equipment.

23 "Tobacco use" includes smoking and the use of smokeless
24 tobacco in any form.

25 Section 2. This act shall take effect in 60 days.