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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3166

02/11/2020 Authored by Edelson, Baker, Youakim, Albright, Richardson and others
The bill was read for the first time and referred to the Committee on Education Policy
02/20/2020 Adoption of Report: Re-referred to the Education Finance Division

1.1 A bill for an act
1.2 relating to education; requiring vaping awareness and prevention instruction for
1.3 public school students; proposing coding for new law in Minnesota Statutes, chapter
1.4 120B.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [120B.238] VAPING AWARENESS AND PREVENTION.

1.7 Subdivision 1. Title. This section may be referred to as the "Vaping Awareness and
1.8 Prevention Act."

1.9 Subd. 2. Definitions. (a) For purposes of this section, the words defined in this
1.10 subdivision have the meanings given them.

1.11 (b) "Electronic delivery device" has the meaning given in section 609.685, subdivision
1.12 1.

1.13 (c) "Heated tobacco product" means a tobacco product that produces aerosols containing
1.14 nicotine and other chemicals which are inhaled by users through the mouth.

1.15 (d) "Public school" means a school district or a charter school.

1.16 (e) "Vaping" means using an activated electronic delivery device or heated tobacco
1.17 product.

1.18 Subd. 3. Model instructional materials. The Departments of Education and Health
1.19 must collaboratively use evidence-based research to develop smoking prevention instructional
1.20 materials for school districts with a focus on vaping and the use of electronic delivery devices
1.21 and heated tobacco products. The materials may be based on the Department of Health's
1.22 e-cigarette toolkit.

2.1 Subd. 4. **School instruction requirements.** (a) A public school must use evidence-based  
2.2 research to provide vaping prevention instruction at least once to students in grades 6 through  
2.3 8. A public school may use the instructional materials developed under subdivision 3 or  
2.4 may use other smoking prevention instructional materials with a focus on vaping and the  
2.5 use of electronic delivery devices and heated tobacco products. The instruction may be  
2.6 provided as a part of a public school's locally developed health standards.

2.7 (b) A public school is strongly encouraged to provide evidence-based vaping prevention  
2.8 instruction to students in grades 9 through 12.

2.9 (c) A public school is encouraged to use a peer-to-peer education program to provide  
2.10 vaping prevention instruction.

2.11 Subd. 5. **Student survey.** The commissioner of education must include questions  
2.12 regarding tobacco use and vaping in the Minnesota student survey.

2.13 **EFFECTIVE DATE.** This section is effective January 1, 2021.