

# HB5754



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5754

by Rep. Mary Edly-Allen

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.5b  
105 ILCS 5/34-18.11

from Ch. 122, par. 10-20.5b  
from Ch. 122, par. 34-18.11

Amends the School Code. In provisions requiring a school board to prohibit the use of tobacco on school property when such property is being used for any school purpose, includes electronic cigarettes in the definition of "tobacco".

LRB101 20805 CMG 70501 b

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections  
5 10-20.5b and 34-18.11 as follows:

6 (105 ILCS 5/10-20.5b) (from Ch. 122, par. 10-20.5b)

7 Sec. 10-20.5b. Tobacco prohibition. Each school board  
8 shall prohibit the use of tobacco on school property by any  
9 school personnel, student, or other person when such property  
10 is being used for any school purposes. The school board may not  
11 authorize or permit any exception to or exemption from the  
12 prohibition at any place or at any time, including without  
13 limitation outside of school buildings or before or after the  
14 regular school day or on days when school is not in session.  
15 "School purposes" include but are not limited to all events or  
16 activities or other use of school property that the school  
17 board or school officials authorize or permit on school  
18 property, including without limitation all interscholastic or  
19 extracurricular athletic, academic, or other events sponsored  
20 by the school board or in which pupils of the district  
21 participate. For purposes of this Section "tobacco" shall mean  
22 a cigarette, a cigar, or tobacco in any other form, including  
23 smokeless tobacco which is any loose, cut, shredded, ground,

1 powdered, compressed or leaf tobacco that is intended to be  
2 placed in the mouth without being smoked, or an electronic  
3 cigarette as defined in subsection (a-9) of Section 1 of the  
4 Prevention of Tobacco Use by Persons under 21 Years of Age and  
5 Sale and Distribution of Tobacco Products Act.

6 (Source: P.A. 89-181, eff. 7-19-95.)

7 (105 ILCS 5/34-18.11) (from Ch. 122, par. 34-18.11)

8 Sec. 34-18.11. Tobacco prohibition. The Board of Education  
9 shall prohibit the use of tobacco on school property when such  
10 property is being used for any school purposes. Neither the  
11 board nor the local school council may authorize or permit any  
12 exception to or exemption from the prohibition at any place or  
13 at any time, including without limitation outside of school  
14 buildings or before or after the regular school day or on days  
15 when school is not in session. "School purposes" include but  
16 are not limited to all events or activities or other use of  
17 school property that the school board or school officials  
18 authorize or permit on school property, including without  
19 limitation all interscholastic or extracurricular athletic,  
20 academic or other events sponsored by the school board or in  
21 which pupils of the district participate. For purposes of this  
22 Section "tobacco" shall mean a cigarette, a cigar, or tobacco  
23 in any other form, including smokeless tobacco which is any  
24 loose, cut, shredded, ground, powdered, compressed or leaf  
25 tobacco that is intended to be placed in the mouth without

1 being smoked, or an electronic cigarette as defined in  
2 subsection (a-9) of Section 1 of the Prevention of Tobacco Use  
3 by Persons under 21 Years of Age and Sale and Distribution of  
4 Tobacco Products Act.

5 (Source: P.A. 89-181, eff. 7-19-95.)