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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 349

01/24/2019 Authored by Halverson, Pierson, Schultz, Moran, Haley and others
The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act
1.2 relating to health; including electronic cigarettes in the definition of smoking for
1.3 purposes of the Minnesota Clean Indoor Air Act; amending Minnesota Statutes
1.4 2018, sections 144.412; 144.413, subdivision 4; repealing Minnesota Statutes
1.5 2018, section 144.414, subdivision 5.

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

1.7 Section 1. Minnesota Statutes 2018, section 144.412, is amended to read:

1.8 144.412 PUBLIC POLICY.

1.9 The purpose of sections 144.411 to 144.417 is to protect employees and the general
1.10 public from the hazards of secondhand smoke and involuntary exposure to aerosol or vapor
1.11 from electronic delivery devices by eliminating smoking in public places, places of
1.12 employment, public transportation, and at public meetings.

1.13 Sec. 2. Minnesota Statutes 2018, section 144.413, subdivision 4, is amended to read:

1.14 Subd. 4. Smoking. "Smoking" means inhaling or, exhaling smoke from, burning, or
1.15 carrying any lighted or heated cigar, cigarette, pipe, or any other lighted tobacco or plant
1.16 or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other
1.17 plant, whether natural or synthetic, that is intended for inhalation. Smoking also includes
1.18 carrying a lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or
1.19 plant product intended for inhalation.

1.20 Sec. 3. REPEALER.

1.21 Minnesota Statutes 2018, section 144.414, subdivision 5, is repealed.

144.414 PROHIBITIONS.

Subd. 5. **Electronic cigarettes.** (a) The use of electronic cigarettes, including the inhaling or exhaling of vapor from any electronic delivery device, as defined in section 609.685, subdivision 1, is prohibited in the following locations:

(1) any building owned or operated by the state, home rule charter or statutory city, county, township, school district, or other political subdivision;

(2) any facility owned by Minnesota State Colleges and Universities and the University of Minnesota;

(3) any facility licensed by the commissioner of human services; or

(4) any facility licensed by the commissioner of health, but only if the facility is also subject to federal licensing requirements.

(b) Nothing in this subdivision shall prohibit political subdivisions or businesses from adopting more stringent prohibitions on the use of electronic cigarettes or electronic delivery devices.