

**ASSEMBLY AMENDMENT 127,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 55**

June 29, 2001 – Offered by Representative SCHNEIDER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 891, line 6: after that line insert:

3 **“SECTION 2449g.** 101.123 (1) (a) of the statutes is amended to read:

4 101.123 **(1)** (a) “Educational facility” means any building used principally for
5 educational purposes in which a school is located or a course of instruction or training
6 program is offered that has been approved or licensed by a state agency or board.
7 “Educational facility” does not include a school building that is subject to the
8 prohibition under s. 118.115 (2).”.

9 **2.** Page 917, line 22: after that line insert:

10 **“SECTION 2668nm.** 118.115 of the statutes is created to read:

11 **118.115 Tobacco-free school zones. (1) DEFINITIONS.** In this section:

12 (a) “Motor vehicle” has the meaning given in s. 340.01 (35).

1 (b) “Peace officer” has the meaning given in s. 939.22 (22).

2 (c) “School” means a public, parochial, private, or charter school which provides
3 an educational program for one or more grades between grades 1 and 12.

4 (d) “School administrator” means a school district administrator or, for private
5 or parochial schools, the governing body of the school.

6 (e) “School premises” means any school building, grounds, recreation area, or
7 athletic field or any other property owned, used, or operated for the purpose of the
8 school.

9 (f) “School zone” means any of the following:

10 1. School premises.

11 2. Any area within 1,000 feet of the school premises.

12 (g) “Smoke” means to carry a lighted cigar, cigarette, pipe, or any other lighted
13 tobacco product or lighted smoking equipment.

14 (h) “Tobacco products” means smoking tobacco, snuff, and any other kind or
15 form of tobacco prepared in such a manner as to be suitable for use for chewing.

16 **(2) USE OF TOBACCO PRODUCTS IN SCHOOL ZONE.** (a) No person may smoke or use
17 tobacco products at a place that the person knows, or has reasonable cause to believe,
18 is a school zone.

19 (b) The prohibition under par. (a) does not apply to smoking or using tobacco
20 products by any of the following:

21 1. An adult on private property that is not part of the school premises.

22 2. An adult who is in a motor vehicle traveling through the school zone.

23 3. An adult in a program approved by the applicable school administrator.

