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An Act To Prohibit the Possession and Use of Electronic Smoking Devices on School Grounds

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §1578-B, sub-§1, ¶D, as enacted by PL 1987, c. 687, is repealed and the following enacted in its place:

D. "Tobacco use" includes:

(1) Smoking, which means carrying or having in one's possession an electronic smoking device, as defined in section 1541, subsection 1-A, or a lighted cigarette, cigar, pipe or other object giving off or containing any substance giving off smoke; and

(2) The use of smokeless tobacco.

SUMMARY

This bill includes in the prohibition against tobacco use in elementary or secondary schools the possession of an electronic smoking device, which is defined as a device used to deliver nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the device, including, without limitation, a device manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-called vape pen.