



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 257

AMENDMENT NO. **A42**  
(to be filled in by  
Principal Clerk)

S257-ANH-19 [v.6]

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Amends Title [NO]  
Fifth Edition

Date \_\_\_\_\_, 2025

Representative Rubin

and moves to amend the bill on page 169, lines 16-17, by inserting between the lines the following new section to read:

**"NICOTINE AND VAPING PREVENTION IN SCHOOLS**

**SECTION 7.65.(a)** Article 29A of Chapter 115C of the General Statutes is amended by adding a new section to read:

**"§ 115C-407.1. Definitions.**

For the purposes of this Article, the following definitions apply:

(1) Hemp product. – Products derived from hemp, as defined in G.S. 90-87, and their synthetic counterparts that are designed, manufactured, or sold to be inhaled or otherwise consumed, including the substances commonly known as "delta-8," "delta-9," and "CBD."

(2) Nicotine product. – Includes any of the following:

a. Tobacco product. – Any product that contains tobacco and is intended for human consumption. For purposes of this section, the term includes an alternative nicotine product, vapor product, consumable product, or components of a vapor product.

b. Alternative nicotine product. – Any noncombustible product that contains nicotine, whether natural or synthetic, but does not contain tobacco and is intended for human consumption whether chewed, absorbed, dissolved, ingested, or by other means. This term does not include a vapor product or any product regulated by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act.

(3) Vapor product. – Any noncombustible product that employs a mechanical heating element, battery, or electronic circuit regardless of shape or size and that can be used to heat a consumable product. The term includes an electronic cigarette, electronic cigar, electronic cigarillo, and electronic pipe. The term does not include any product regulated by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act.

**SECTION 7.65.(b)** G.S. 115C-407 reads as rewritten:



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1   **"§ 115C-407. Policy prohibiting ~~tobacco~~-nicotine, hemp, and vapor product use in school**  
2       **buildings, grounds, and at school-sponsored events.**

3       (a)   ~~Not later than August 1, 2008, local boards of education~~ Governing bodies of public  
4       school units shall adopt, implement, and enforce ~~adopt~~ a written policy prohibiting at all times  
5       the use of any ~~tobacco~~-nicotine, hemp, and vapor product by any person in school buildings, in  
6       school facilities, on school campuses, and in or on any other school property owned or operated  
7       by the ~~local school administrative~~ public school unit. The policy shall further prohibit the use of  
8       all ~~tobacco~~-nicotine, hemp, and vapor products by persons attending a school-sponsored event at  
9       a location not listed in this subsection when in the presence of students or school personnel or in  
10      an area where smoking is otherwise prohibited by law.

11      (b)   The policy shall include at least all of the following elements:

12          (1)   Adequate notice to students, parents, the public, and school personnel of the  
13          policy.

14          (2)   Posting of signs prohibiting at all times the use of ~~tobacco~~-nicotine, hemp, and  
15          vapor products by any person in and on school property.

16          (3)   Requirements that school personnel enforce the policy.

17      (c)   The policy may permit ~~tobacco~~-nicotine, hemp, and vapor products to be included in  
18      instructional or research activities in public school buildings if the activity is conducted or  
19      supervised by the faculty member overseeing the instruction or research and the activity does not  
20      include smoking, chewing, or otherwise ingesting the ~~tobacco~~-nicotine, hemp, or vapor product.

21      (d)   ~~The North Carolina Health and Wellness Trust Fund Commission~~ Department of  
22      Health and Human Services shall work with ~~local boards of education~~ governing bodies of public  
23      school units to provide assistance with the implementation of this policy including providing  
24      evidence-based, age-appropriate information regarding ~~smoking~~-nicotine, hemp, and vapor  
25      cessation and use prevention resources. ~~resources to students at the beginning of each school~~  
26      year. Students shall be able to access evidence-based, age-appropriate nicotine, hemp, and vapor  
27      product cessation and use prevention materials throughout the school year.

28      (d1)   Nothing in this section, G.S. 143-595 through G.S. 143-601, or any other section  
29      prohibits a ~~local board of education~~ governing body of a public school unit from adopting and  
30      enforcing a more restrictive policy on the use of ~~tobacco~~-nicotine, hemp, and vapor products in  
31      school buildings, in school facilities, on school campuses, or at school-related or  
32      school-sponsored events, and in or on other school property.

33      (e)   Any information or resources given or made available to students pursuant to this  
34      section shall be first approved by the Department of Health and Human Services before  
35      distribution. In approving materials pursuant to this section, the Department of Health and  
36      Human Services shall ensure that nicotine, hemp, and vapor product cessation and use prevention  
37      materials are evidence-based and shall identify the ages or grades of students for which the  
38      material is appropriate. A school may request specific material be reviewed for possible approval  
39      by the Department of Health and Human Services."

40      **SECTION 7.65.(b)** No later than September 15, 2025, the Department of Health and  
41      Human Services shall publish on its website nicotine, hemp, and vapor product awareness  
42      information, including the various types of products containing nicotine or hemp and the health  
43      issues associated with nicotine, hemp, and vapor products. The Department shall also publish

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1 and maintain a list of evidence-based resources for use by public schools to provide nicotine,  
2 hemp, and vapor product cessation and use prevention information and programs.

3 **SECTION 7.65.(c)** Notwithstanding any provision of this act or the Committee  
4 Report described in Section 45.2 of this act to the contrary, the funds appropriated in this act to  
5 the Department of Public Instruction shall be increased by the sum of twenty-five thousand  
6 dollars (\$25,000) in nonrecurring funds for the 2025-2026 fiscal year for the Department to  
7 support public school units in developing and implementing nicotine, hemp, and vapor cessation  
8 and use prevention efforts including those conducted pursuant to Article 29A of Chapter 115C  
9 of the General Statutes.

10 **SECTION 7.65.(d)** Notwithstanding any provision of this act or the Committee  
11 Report described in Section 45.2 of this act to the contrary, the funds appropriated in this act to  
12 the Department of Public Instruction for the Economically Disadvantaged Charter School  
13 Support Program, as established under G.S. 115C-218.108, as enacted by section 7.62 of this act,  
14 shall be reduced by twenty-five thousand dollars (\$25,000) in nonrecurring funds for the 2025-  
15 2026 fiscal year.";

16  
17 and by adjusting appropriate totals accordingly.

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_