

**House File 414 - Introduced**

HOUSE FILE 414

BY KOESTER and ABDUL-SAMAD

**A BILL FOR**

1 An Act prohibiting use by any student enrolled in a school  
2 district and use on school grounds of nicotine products and  
3 providing restrictions for violation of the prohibition.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 279.9, Code 2011, is amended to read as  
2 follows:

3 **279.9 Use of tobacco, alcoholic beverages, or controlled**  
4 **substances.**

5 1. The rules shall prohibit the use of tobacco, including  
6 nicotine products, and the use or possession of alcoholic  
7 liquor, wine, or beer or any controlled substance as defined in  
8 section 124.101, subsection 5, by any student of the schools,  
9 and the on school grounds, is prohibited. The school board may  
10 suspend or expel a student for a violation of a rule under this  
11 section. The school board may remove a person for violation of  
12 this section and may bar the person's future presence on school  
13 grounds for such violation.

14 2. As used in this section, "nicotine product" means any  
15 product containing nicotine or any other preparation of tobacco  
16 not described in section 453A.1, and any product or formulation  
17 of matter containing biologically active amounts of nicotine  
18 that is manufactured, sold, offered for sale, or otherwise  
19 distributed with the expectation that the product or matter  
20 will be introduced into the human body. "Nicotine product" does  
21 not include any cessation product specifically approved by the  
22 United States food and drug administration for use in reducing,  
23 treating, or eliminating nicotine or tobacco dependence.

24 EXPLANATION

25 This bill provides that the use of nicotine products by any  
26 student, and on school grounds, is prohibited. For a violation  
27 of the provision, the school board may suspend or expel a  
28 student, may remove a person, and may bar the person's future  
29 presence on school grounds.

30 The bill defines "nicotine product" as any product  
31 containing nicotine or any other preparation of tobacco  
32 not described in Code section 453A.1, and any product or  
33 formulation of matter containing biologically active amounts  
34 of nicotine that is manufactured, sold, offered for sale, or  
35 otherwise distributed with the expectation that the product

1 or matter will be introduced into the human body. "Nicotine  
2 product" does not include any cessation product specifically  
3 approved by the United States food and drug administration for  
4 use in reducing, treating, or eliminating nicotine or tobacco  
5 dependence.