

# Texas Penal Code 48.01

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- In this section, “e-cigarette” has the meaning assigned by Section 161.081, Health and Safety Code.
- (a-1) A person commits an offense if the person is in possession of a burning tobacco product, smokes tobacco, or operates an e-cigarette in a facility of a public primary or secondary school or an elevator, enclosed theater or movie house, library, museum, hospital, transit system bus, intrastate bus, plane, or train which is a public place.
- Offense is punishable by a fine up to \$500

# **Texas Health and Safety Code -**

## **HEALTH & SAFETY § 161.252.**

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- **Possession, Purchase, Consumption, or Receipt of Cigarettes, E-Cigarettes, or Tobacco Products by Minors Prohibited**
  - (a) An individual who is younger than 18 years of age commits an offense if the individual:
    - (1) possesses, purchases, consumes, or accepts a cigarette, e-cigarette, or tobacco product; or
    - (2) falsely represents himself or herself to be 18 years of age or older by displaying proof of age that is false, fraudulent, or not actually proof of the individual's own age in order to obtain possession of, purchase, or receive a cigarette, e-cigarette, or tobacco product.

# **Texas Health and Safety Code – HEALTH & SAFETY § 161.252.**

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- In other words: if you are under 18, in the state of Texas, it is unlawful for you to POSSESS or USE e-cigarettes without parent or guardian immediate supervision.
- You may be ticketed for violating this law.

# WISD Board Policy

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- ④ Winnsboro ISD FNCD (LEGAL)
- ④ A board shall prohibit students from smoking, using, or possessing e-cigarettes or tobacco products at a school-related or school-sanctioned activity on or off school property.
- ④ "E-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking.
- ④ The term includes:
  1. A device regardless of whether it is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and
  2. A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

# WISD Student Code of Conduct

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- Prohibited Behavior
- “Possessing, smoking, or using tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device” (page 5).

# WISD Student Code of Conduct

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- In other words:
- If a student is found smoking, using, or possessing ANY part of an e-cigarette anywhere on campus and/or at a school-related event, you may be ticketed.
- \*WISD has determined that this behavior may result in a DAEP placement\* (page 9)