

## **BILL ANALYSIS**

Senate Research Center  
85R2010 MM-D

S.B. 489  
By: Lucio  
Education  
3/28/2017  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

E-cigarettes, as a nicotine-based product, have all of the danger of addiction and many of the health consequences of traditional cigarettes. However, the perception of e-cigarettes as a healthy alternative to cigarettes persists, and consequently, the use of these products among young people is increasing. Last session, the legislature took steps to regulate and mitigate the use of e-cigarettes, but this issue has not been addressed with corresponding health curriculum in public schools.

S.B. 489 amends existing statute (Section 28.004(c), Education Code) regarding health education instruction to include e-cigarettes. It expands the duties of local school health advisory councils to include recommendations that are specific to e-cigarettes in conjunction with their recommendations regarding tobacco. Allowing districts to add specific instruction related to e-cigarettes will clarify for students the true health concerns associated with their use and reduce the likelihood that e-cigarettes will become a gateway to tobacco addiction for adolescents.

As proposed, S.B. 489 amends current law relating to recommendations regarding instruction in public schools to prevent the use of e-cigarettes.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 28.004(c), Education Code, to provide that the local school health advisory council's duties include recommending policies, procedures, strategies, and curriculum appropriate for specific grade levels designed to prevent certain health concerns through coordination of, among certain other items, instruction to prevent the use of e-cigarettes, as defined by Section 161.081 (Definitions), Health and Safety Code, and tobacco.

SECTION 2. Effective date: upon passage or September 1, 2017.