

1 H.217

2 Representative Donahue of Northfield moves that the bill be amended by
3 striking out Sec. 5, 33 V.S.A. § 3504, in its entirety and inserting in lieu
4 thereof a new Sec. 5 to read as follows:

5 Sec. 5. 33 V.S.A. § 3504 is added to read:

6 § 3504. TOBACCO USE PROHIBITED AT CHILD CARE FACILITIES

7 (a) No person shall be permitted to use tobacco products or tobacco
8 substitutes as defined in 7 V.S.A. § 1001:

9 (1) on the premises, both indoor and outdoor, of inside a licensed child
10 care facility or afterschool program at any time; or

11 (2) on the outdoor premises of a licensed child care facility or
12 afterschool program when children are present.

13 (b) No person shall be permitted to use tobacco products or tobacco
14 substitutes as defined in 7 V.S.A. § 1001:

15 (1) on the premises, both indoor and outdoor, of Inside a licensed or
16 registered family child care home when children are present and in care or in
17 areas of the home designated for child care whether or not children are present.

18 If smoking occurs on the premises during other times when children are not
19 present, the family child care home shall notify prospective families prior to
20 enrolling a child in the family child care home that their child will be exposed
21 to an environment in which tobacco products or tobacco substitutes, or both,

- 1 are used, but that smoking will not occur in the designated child care areas or
2 in the presence of children.
- 3 (2) On the outdoor premises of a licensed or registered family care home
4 in the presence of children.