

March 24, 2005

S 1130. NO SMOKING IN PRISONS. TO PROHIBIT SMOKING IN STATE CORRECTIONAL INSTITUTIONS EFFECTIVE JANUARY 2006. Enacts new GS 148-23.1 to prohibit inmate from possessing or using tobacco products and to prohibit employee or visitor from using tobacco products inside State correctional institution except in designated smoking areas. Requires Dep't of Correction to make smoking cessation products available to inmates. Provision banning smoking by inmates and limiting smoking by employee and visitors effective January 1, 2006. Provision regarding smoking cessation products effective when bill becomes law.

Intro. by Albertson.

Ref. to St. & Loc. Gov.

GS 148

May 25, 2005

S 1130. NO SMOKING IN PRISONS. Intro. 3/24/05. Senate committee substitute makes the following changes to 1st edition. Deletes reference in title to effective date of smoking ban. Clarifies that inmates are prohibited from using tobacco products inside a State correctional facility rather than banned from using or possessing the products at any time. Specifies that visitors who violate ban may lose visitation privileges as well as be removed from the facility. Defines a State correctional facility as all buildings of a State correctional institution operated by the Department of Correction. Amends GS 143-599 to clarify that smoking in state correctional facilities is governed by this act rather than the provisions of GS Chapter 143, Article 64 (regulating smoking in public places). Requires that, before the ban takes effect in 2006, the Department of Correction conduct pilot programs banning smoking both inside buildings and on the grounds of correctional facilities and administering smoking cessation programs for staff and inmates. Cost of the pilots to be paid from existing funds available to the Department of Correction. Department must report to Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on or before April 1, 2006, on progress of pilots. Joint Legislative Committee required to study and make recommendations on the feasibility and implementation of a two-year phase-in program banning all smoking in all buildings and on all grounds of correctional facilities. Legislative Committee must report on study to the General Assembly before the 2006 session.

July 27, 2005

S 1130. NO TOBACCO USE IN PRISONS (NEW). Intro. 3/24/05. House committee substitute makes the following changes to 2nd edition. Requires report from Department of Corrections on pilot program by October 1 (was April 1), 2006; requires study to be completed before 2007 General Assembly (was, before 2006 session). Makes technical changes.

August 3, 2005

S 1130. NO TOBACCO USE IN PRISONS. Intro. 3/24/05. House amendment makes the following changes to 3rd edition. Makes technical change only.

August 4, 2005

S 1130. NO TOBACCO USE IN PRISONS. Intro. 3/24/05. House amendments make the following changes to 3rd edition, as amended. Amendment # 2 revises proposed GS 148-23.1 to limit ban on using tobacco products inside a State correctional facility to inmates (was, any person). Also clarifies that the pilot program conducted by the Dep't of Correction must ban tobacco use by inmates (was, tobacco use by anyone) inside buildings and on the grounds of State correctional facilities. Amendment # 3 amends religious purpose exemption to allow an inmate to use tobacco inside a correctional facility only if it is required by the inmate's religious belief (was, allowed use for authorized religious purposes).

August 23, 2005

S 1130. NO TOBACCO USE IN PRISONS. Intro. 3/24/05. Conference report recommends the following changes to 4th edition to reconcile matters in controversy. Reinstates provisions to ban

the use of tobacco products inside a State correctional facility by any person (House amendments applied ban to inmates only) and to make employees who violate ban subject to disciplinary action and visitors subject to removal from facility. Also requires that the pilot program conducted by the Dep't of Correction ban smoking by anyone (was, tobacco use by inmates) inside buildings and on the grounds of State correctional facilities and make smoking cessations programs (was, tobacco use cessation programs) available to inmates and staff.

September 9, 2005

SL 2005-372 (S 1130). NO TOBACCO USE IN PRISONS. AN ACT TO PROHIBIT SMOKING IN STATE CORRECTIONAL INSTITUTIONS. Summarized in *Daily Bulletin* 3/24/05, 5/25/05, 7/27/05, 8/3/05, 8/4/05, and 8/23/05. Enacted September 8, 2005. Effective September 8, 2005, Sections 1 and 2 become effective January 1, 2006.