

118TH CONGRESS
1ST SESSION

H. R. 2398

To amend title 38, United States Code, to prohibit smoking on the premises of any facility of the Veterans Health Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2023

Mr. WENSTRUP (for himself and Ms. UNDERWOOD) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to prohibit smoking on the premises of any facility of the Veterans Health Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION ON SMOKING IN FACILITIES OF**
4 **THE VETERANS HEALTH ADMINISTRATION.**

5 (a) PROHIBITION.—Section 1715 of title 38, United
6 States Code, is amended to read as follows:

7 **“§ 1715. Prohibition on smoking in facilities of the**
8 **Veterans Health Administration**

9 “(a) PROHIBITION.—No person (including any vet-
10 eran, patient, resident, employee of the Department, con-

1 tractor, or visitor) may smoke on the premises of any facil-
2 ity of the Veterans Health Administration.

3 “(b) DEFINITIONS.—In this section:

4 “(1) The term ‘smoke’ includes—

5 “(A) the use of cigarettes, cigars, pipes,
6 and any other combustion or heating of to-
7 bacco; and

8 “(B) the use of any electronic nicotine de-
9 livery system, including electronic or e-ciga-
10 rettes, vape pens, and e-cigars.

11 “(2) The term ‘facility of the Veterans Health
12 Administration’ means any land or building (includ-
13 ing any medical center, nursing home, domiciliary
14 facility, outpatient clinic, or center that provides re-
15 adjustment counseling) that is—

16 “(A) under the jurisdiction of the Depart-
17 ment of Veterans Affairs;

18 “(B) under the control of the Veterans
19 Health Administration; and

20 “(C) not under the control of the General
21 Services Administration.”.

22 (b) CONFORMING AMENDMENTS.—

23 (1) TABLE OF SECTIONS.—The table of sections
24 at the beginning of chapter 17 of such title is

1 amended by striking the item relating to section
2 1715 and inserting the following:

“1715. Prohibition on smoking in facilities of the Veterans Health Administration.”.

3 (2) VETERANS HEALTH CARE ACT OF 1992.—
4 Section 526 of the Veterans Health Care Act of
5 1992 (Public Law 102–585) is repealed.

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