

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

As Engrossed: S3/17/09

# A Bill

SENATE BILL 922

4 By: Senators B. Pritchard, *Crumbly, Laverty, Whitaker, Altes, G. Baker, Bledsoe, Bookout, Broadway,*  
5 *Bryles, Capps, Glover, Hendren, Horn, J. Jeffress, G. Jeffress, D. Johnson, J. Key, Madison, Miller, T.*  
6 *Smith, J. Taylor, R. Thompson, Trusty, H. Wilkins, Wilkinson, D. Wyatt*  
7 By: Representatives *Glidewell, Pennartz, Abernathy, Baird, Barnett, Betts, T. Bradford, Breedlove,*  
8 *Carnine, Carroll, Carter, Cash, Clemmer, Cook, Cooper, L. Cowling, Dale, Davenport, Davis, Dismang,*  
9 *Dunn, English, Everett, Garner, Gaskill, George, R. Green, Greenberg, Hawkins, Hobbs, Hopper, House,*  
10 *Hoyt, D. Hutchinson, Hyde, Kerr, Kidd, King, Lea, Lindsey, Lovell, Lowery, S. Malone, M. Martin,*  
11 *Maxwell, McLean, Moore, Nickels, Overbey, Patterson, Pierce, Powers, Pyle, Ragland, Reynolds, Rice, J.*  
12 *Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart,*  
13 *Summers, Tyler, Webb, Wells, B. Wilkins, Woods, T. Baker, Williams*

## For An Act To Be Entitled

17 AN ACT TO AMEND ARKANSAS LAW CONCERNING TOBACCO  
18 TREATMENT, PREVENTION, AND CESSATION; TO AMEND  
19 THE TOBACCO SETTLEMENT PROCEEDS ACT; AMENDING A  
20 PORTION OF ARKANSAS LAW RESULTING FROM INITIATED  
21 ACT 1 OF 2000; AND FOR OTHER PURPOSES.

## Subtitle

24 TO AMEND ARKANSAS LAW CONCERNING TOBACCO  
25 TREATMENT, PREVENTION, AND CESSATION.

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

30 *SECTION 1. Arkansas Code § 19-12-113(b) and (c), resulting from*  
31 *Initiated Act 1 of 2000 and concerning the development and administration of*  
32 *tobacco prevention and cessation programs, are amended to read as follows:*

33 *(b)(1) The Department of Health shall be responsible for developing,*  
34 *integrating, and monitoring tobacco prevention and cessation programs funded*  
35 *under this chapter and shall provide administrative oversight and management,*  
36 *including, but not limited to implementing performance based measures.*



1           (2) *The Department of Health shall have authority to award*  
2 *grants and allocate money appropriated to implement the tobacco prevention*  
3 *and cessation program mandated under this chapter.*

4           (3) *The Department of Health may contract with those entities*  
5 *necessary to fully implement the tobacco prevention and cessation initiatives*  
6 *mandated under this chapter.*

7           (4)(A) *Within thirty (30) days of receipt of moneys into the*  
8 *Prevention and Cessation Program Account, fifteen percent (15%) of those*  
9 *moneys shall be deposited into a special account within the prevention and*  
10 *cessation account at the Department of Health to be expended for tobacco*  
11 *prevention and cessation in minority communities as directed by the Director*  
12 *of the Department of Health in consultation with the Chancellor of the*  
13 *University of Arkansas at Pine Bluff, the President of the Arkansas Medical,*  
14 *Dental and Pharmaceutical Association, and the League of United Latin*  
15 *American Citizens.*

16           (B) *Within thirty (30) days of receipt of moneys into the*  
17 *Prevention and Cessation Program Account, the Chief Fiscal Officer of the*  
18 *State shall transfer on his or her books and those of the State Auditor and*  
19 *Treasurer of State fifteen percent (15%) of those moneys to the Drug Court*  
20 *Fund for assistance to drug court programs established under the Arkansas*  
21 *Drug Court Act, § 16-98-301 et seq.*

22           (c) *The Except for the distribution of funds under subdivision*  
23 *(b)(4)(B) of this section, the Tobacco Prevention and Cessation Program shall*  
24 *be comprised of components approved by the State Board of Health. The program*  
25 *components selected by the board shall include:*

- 26           (1) *community prevention programs that reduce youth tobacco use;*  
27           (2) *local school programs for education and prevention in grades*  
28 *kindergarten through twelve (K-12) that should include school nurses, where*  
29 *appropriate;*  
30           (3) *enforcement of youth tobacco control laws;*  
31           (4) *state-wide programs with youth involvement to increase local*  
32 *coalition activities;*  
33           (5) *tobacco cessation programs;*  
34           (6) *tobacco-related disease prevention programs;*  
35           (7) *a comprehensive public awareness and health promotion*  
36 *campaign;*

1 (8) grants and contracts funded pursuant to this chapter for  
2 monitoring and evaluation, as well as data gathering; and

3 (9) other programs as deemed necessary by the board.  
4

5 SECTION 2. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended  
6 to add a new section to read as follows:

7 19-5-1236. Drug Court Fund.

8 (a) There is created on the books of the Treasurer of the State, the  
9 Auditor of the State, and the Chief Fiscal Officer of the State a  
10 miscellaneous fund to be known as the "Drug Court Fund".

11 (b) The fund shall consist of revenues authorized under § 19-12-  
12 113(b)(4)(B) and other revenues as may be authorized by law.

13 (c) The fund shall be used to provide assistance to drug court  
14 programs established under the Arkansas Drug Court Act, § 16-98-301 et seq.

15  
16 /s/ B. Pritchard  
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