

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: S3/8/11

A Bill

SENATE BILL 794

5 By: Senators B. Pritchard, *G. Baker, Bledsoe, Burnett, J. Dismang, Holland, J. Hutchinson, Irvin, J. Key,*
6 *M. Lamoureux, Rapert, Whitaker, E. Williams*
7 By: Representatives Baird, Barnett, Bell, Benedict, Biviano, Branscum, J. Burris, Carnine, Clemmer,
8 Collins, Dale, Deffenbaugh, English, Harris, Hickerson, Hopper, Hubbard, King, Lea, Leding, Linck, S.
9 Malone, Patterson, Pennartz, Pierce, Rice, Sanders, Slinkard, Stewart, Westerman, B. Wilkins, Woods

For An Act To Be Entitled

10
11 AN ACT TO AMEND ARKANSAS LAW CONCERNING TOBACCO
12 TREATMENT, PREVENTION, AND CESSATION; TO AMEND THE
13 TOBACCO SETTLEMENT PROCEEDS ACT; AMENDING A PORTION
14 OF ARKANSAS LAW RESULTING FROM INITIATED ACT 1 OF
15 2000; AND FOR OTHER PURPOSES.
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Subtitle

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19 TO AMEND ARKANSAS LAW CONCERNING TOBACCO
20 TREATMENT, PREVENTION, AND CESSATION.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 19-12-113(b) and (c), resulting from
27 Initiated Act 1 of 2000 and concerning the development and administration of
28 tobacco prevention and cessation programs, are amended to read as follows:

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

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

36 (3) The Department of Health may contract with those entities



1 necessary to fully implement the tobacco prevention and cessation initiatives
2 mandated under this chapter.

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

12 (B) Within thirty (30) days of receipt of moneys into the
13 Prevention and Cessation Program Account, the Chief Fiscal Officer of the
14 State shall transfer on his or her books and those of the Auditor of State
15 and the Treasurer of State fifteen percent (15%) of those moneys to the Drug
16 Abuse Prevention and Treatment Fund for the Office of Alcohol and Drug Abuse
17 Prevention to be used exclusively for drug court or other substance abuse and
18 prevention activities.

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

- 23 (1) community prevention programs that reduce youth tobacco use;
24 (2) local school programs for education and prevention in grades
25 kindergarten through twelve (K-12) that should include school nurses, where
26 appropriate;
27 (3) enforcement of youth tobacco control laws;
28 (4) state-wide programs with youth involvement to increase local
29 coalition activities;
30 (5) tobacco cessation programs;
31 (6) tobacco-related disease prevention programs;
32 (7) a comprehensive public awareness and health promotion
33 campaign;
34 (8) grants and contracts funded pursuant to this chapter for
35 monitoring and evaluation, as well as data gathering; and
36 (9) other programs as deemed necessary by the board.

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/s/B. Pritchard