

1 INTERIM STUDY PROPOSAL 2011-055

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

As Engrossed: S3/8/11

A Bill

SENATE BILL 794

5
6 By: Senators B. Pritchard, *G. Baker, Bledsoe, Burnett, J. Dismang, Holland, J. Hutchinson, Irvin, J. Key,*
7 *M. Lamoureux, Rapert, Whitaker, E. Williams*

8 *By: Representatives Baird, Barnett, Bell, Benedict, Biviano, Branscum, J. Burris, Carnine, Clemmer,*
9 *Collins, Dale, Deffenbaugh, English, Harris, Hickerson, Hopper, Hubbard, King, Lea, Leding, Linck, S.*
10 *Malone, Patterson, Pennartz, Pierce, Rice, Sanders, Slinkard, Stewart, Westerman, B. Wilkins, Woods*

11 Filed with: Interim Senate Committee on Public Health, Welfare and Labor
12 pursuant to A.C.A. §10-3-217.

13 **For An Act To Be Entitled**

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

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21 **Subtitle**

22 TO AMEND ARKANSAS LAW CONCERNING TOBACCO
23 TREATMENT, PREVENTION, AND CESSATION.

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

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

31 (b)(1) The Department of Health shall be responsible for developing,
32 integrating, and monitoring tobacco prevention and cessation programs funded
33 under this chapter and shall provide administrative oversight and management,
34 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 Auditor of State
19 and the Treasurer of State fifteen percent (15%) of those moneys to the Drug
20 Abuse Prevention and Treatment Fund for the Office of Alcohol and Drug Abuse
21 Prevention to be used exclusively for drug court or other substance abuse and
22 prevention activities.

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

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

1 (7) a comprehensive public awareness and health promotion
2 campaign;

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

5 (9) other programs as deemed necessary by the board.
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/s/B. Pritchard

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33 Referred by the Arkansas Senate

34 Prepared by: MBM/VJF

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