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	As Engrossed: H3/28/01		
2	83rd General Assembly	A Bill		
3	Regular Session, 2001		HOUSE BILL	2522
4				
5	By: Representative French			
6				
7				
8	For An Act To Be Entitled			
9	AN ACT TO AMEND THE DISTRIBUTION OF THE			
10	ADDITIONAL TAX ON CIGARETTES AND TOBACCO PRODUCTS			
11	TO ENSURE FUNDING OF THE BREAST CANCER RESEARCH			
12	FUND AND ADDITIONAL PROGRAMS; AND FOR OTHER			
13	PURPOS	SES.		
14				
15				
16	Subtitle			
17	TO AMEND THE DISTRIBUTION OF THE			
18	ADDITIONAL TAX ON CIGARETTES TO ENSURE			
19	FUN	IDING OF THE BREAST CANCER RESEARCH		
20	FUN	ID AND ADDITIONAL PROGRAMS.		
21				
22				
23	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:			
24				
25	SECTION 1. Ar	kansas Code 26-57-236(g), as amended by	/ Act 434 of 19	97,
26	pertaining to stamp deputies, is amended to read as follows:			
27	(g) A commission shall be paid by the director to stamp deputies for the			
28	sales and collection	of cigarette tax stamps and for affixi	ng the said ta	X
29	stamps to each package of cigarettes. The commission shall not be less than			
30	four and four tenths	percent (4.4%) three and eight tenths	percent (3.8%)	of
31	the total aggregate	cigarette tax collected.		
32				
33		kansas Code 26-57-1103, pertaining to a		n of
34	the proceeds of an additional tobacco tax, is amended to read as follows:			
35	-	%) <u>Twenty nine percent (29%)</u> of all mor	-	
36	the additional tax l	evied in §§26-57-1101 and 26-57-1102 sl	nall be deposit	ed

As Engrossed: H3/28/01

1 in the State Treasury as general revenues special revenue, 50% of which shall be credited to the Aging and Adult Services Fund Account of the Department of 2 3 Human Services Fund to be used to assist the Meals-on-Wheels program; and 50% 4 of which shall be credited to the Department of Human Services Grants Fund Account to be used to implement a Prescription Drug for the Elderly Waiver 5 6 Program. In the event, however, that the federal government implements a 7 prescription drug assistance program that provides essentially the same 8 benefits or greater to the same eligible clients as the Prescription Drug Waiver for the Elderly Program, the funds set aside herein for the 9 Prescription Drug Waiver for the Elderly Program shall be credited, in lieu 10 11 thereof, to the Breast Cancer Control Fund and to the Breast Cancer Research Fund in the same proportions as set out in Arkansas Code 26-57-1106(a). 12 13 SECTION 3. Arkansas Code 26-57-1106 concerning the distribution of 14 15 funds for breast cancer research and control, is amended to read as follows: 16 26-57-1106. Distribution of funds for breast cancer research and control -17 Allocation of moneys. 18 19 20 (a) Ninety percent (90%) of all All remaining moneys collected from 21 the additional tax levied in §§ 26-57-1101 and 26-57-1102 shall be deposited 22 in the State Treasury as special revenues to be distributed as follows: 23 (1) Twenty percent (20%) shall be credited to the Breast Cancer 24 Research Fund, which is hereby created on the books of the State Treasurer, 25 State Auditor and the Chief Fiscal Officer of the State to be used 26 exclusively for the purposes set forth in $\frac{9}{20}$ -15-303 §20-15-1303; and 27 (2) Eighty percent (80%) shall be credited to the Breast Cancer 28 Control Fund which is hereby created on the books of the State Treasurer, 29 State Auditor and the Chief Fiscal Officer of the State to be used exclusively for the purposes set forth in § 20-15-304 §20-15-1304 and, at the 30 31 option of the Department of Health in an amount not to exceed the amount appropriated by the General Assembly for such purpose, for cervical cancer 32 33 control. The Director of the Department of Health shall be the disbursing officer for the Breast Cancer Control Fund and the Chancellor of the 34 35 University of Arkansas for Medical Sciences shall be the disbursing officer for the Breast Cancer Research Fund. 36

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As Engrossed: H3/28/01

HB2522

1 The moneys in the Breast Cancer Research Fund are to be allocated (b) 2 to the Breast Cancer Research Program for the awarding of grants, chairs and 3 contracts to researchers for research with respect to the cause, cure, 4 treatment, prevention, and earlier detection of breast cancer and for 5 developing leadership in research in Arkansas.

6

(c) The moneys in the Breast Cancer Control Fund for the control of 7 breast cancer are to be allocated according to the recommendations of the Breast Cancer Control Advisory Board who shall establish the scope of 8 9 services of the program and programmatic priorities based on the analysis of 10 available information. The advisory board shall also be responsible for 11 developing eligibility criterion to be applied in evaluating requests for 12 breast cancer control financial assistance from screened women who are found 13 to be in need of diagnostic and treatment services. The advisory board shall also review contractual agreements for breast cancer control with providers 14 15 who will be rendering services through the program.

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SECTION 4. EMERGENCY CLAUSE. It is found and determined by the 17 18 General Assembly that changes in distributions and funding sources must take 19 place at the beginning of the state fiscal year in order to maintain approved 20 accounting standards and to reduced confusion and that in the event of an 21 extended session, this act may not take effect until after July 1 thereby 22 placing the funding of the breast cancer program in jeopardy. Therefore, an 23 emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become 24 25 effective on July 1, 2001. 26 27 /s/ French 28 29 30 31 32 33 34 35