

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

A Bill

SENATE BILL 794

5 By: Senator B. Pritchard
6

For An Act To Be Entitled

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

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

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

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

32 (3) The Department of Health may contract with those entities
33 necessary to fully implement the tobacco prevention and cessation initiatives
34 mandated under this chapter.

35 (4)(A) Within thirty (30) days of receipt of moneys into the
36 Prevention and Cessation Program Account, fifteen percent (15%) of those



1 moneys shall be deposited into a special account within the prevention and
2 cessation account at the Department of Health to be expended for tobacco
3 prevention and cessation in minority communities as directed by the Director
4 of the Department of Health in consultation with the Chancellor of the
5 University of Arkansas at Pine Bluff, the President of the Arkansas Medical,
6 Dental and Pharmaceutical Association, and the League of United Latin
7 American Citizens.

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

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

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

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

35 19-5-1243. Drug Court Fund.

36 (a) There is created on the books of the Treasurer of State, the

1 Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous
2 fund to be known as the "Drug Court Fund".

3 (b) The fund shall consist of:

4 (1) Revenues authorized under § 19-12-113(b)(4)(B); and

5 (2) Other revenues as may be authorized by law.

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

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