

House Amendment 1152

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1 1 Amend the amendment, H=1116, to House File 555, as
1 2 follows:
1 3 #1. Page 1, line 41, by striking the word <FUND
1 4 ==> and inserting the following: <FUND>.
1 5 #2. Page 1, by striking line 42 and inserting the
1 6 following: <AND TOBACCO USE PREVENTION AND CONTROL
1 7 ACCOUNT.>
1 8 #3. Page 1, by striking lines 46 and 47, and
1 9 inserting the following: <from all permits issued by
1 10 the department, with the exception of the proceeds
1 11 derived from payment of taxes pursuant to section
1 12 453A.6, subsection 1, and section 453A.43, subsections
1 13 1, 2, 3, and 4, which shall be credited to the tobacco
1 14 use prevention and control account created in section
1 15 453A.35A, shall be credited to the general fund of the
1 16 state.>
1 17 #4. By striking page 1, line 48, through page 2,
1 18 line 6.
1 19 #5. Page 2, by striking lines 15 through 43 and
1 20 inserting the following:
1 21 <Sec. _____. NEW SECTION. 453A.35A TOBACCO USE
1 22 PREVENTION AND CONTROL ACCOUNT.
1 23 1. A tobacco use prevention and control account is
1 24 created in the office of the treasurer of state. The
1 25 account consists of the revenue generated from the
1 26 taxes imposed on cigarettes and tobacco products
1 27 pursuant to section 453A.6, subsection 1, and section
1 28 453A.43, subsections 1, 2, 3, and 4. Moneys in the
1 29 account shall be separate from the general fund of the
1 30 state and shall be considered a special account for
1 31 the purposes of section 8.53 relating to generally
1 32 accepted accounting principles. Moneys in the account
1 33 shall be used only as specified in this section and
1 34 shall be appropriated only for the uses specified.
1 35 Moneys in the account are not subject to section 8.33
1 36 and shall not be transferred, used, obligated,
1 37 appropriated, or otherwise encumbered, except as
1 38 provided in this section. Notwithstanding section
1 39 12C.7, subsection 2, interest or earnings on moneys
1 40 deposited in the account shall be credited to the
1 41 account.
1 42 2. Moneys in the account are allocated, subject to
1 43 their appropriation by the general assembly, as
1 44 follows for the fiscal year beginning July 1, 2007,
1 45 and for each fiscal year thereafter, for the
1 46 following:
1 47 a. An amount that is the current annual amount
1 48 recommended by the centers for disease control and
1 49 prevention of the United States department of health
1 50 and human services for tobacco use prevention and
2 1 control.
2 2 b. Ten million dollars for youth programs,
2 3 designed to achieve the desired results of the
2 4 comprehensive tobacco use prevention and control
2 5 initiative pursuant to section 142A.9, that are
2 6 directed by youth participants for youth.
2 7 c. Five million dollars for enforcement of tobacco
2 8 laws and regulations, including through grants to
2 9 community partnerships as provided in section 142A.10.
2 10 d. An amount, to be determined annually, for
2 11 smoking cessation programs.
2 12 3. In addition to the allocations specified in
2 13 subsection 2, moneys in the fund may be used only for
2 14 other activities related to tobacco use prevention,
2 15 cessation, and control.>
2 16 #6. Page 5, by striking lines 40 and 41, and
2 17 inserting the following: <products, creating a
2 18 tobacco use prevention and control account, providing
2 19 for standing appropriations from the account, and
2 20 providing an>.
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2 25 HF 555.217 82
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