

FILED FEB 9 2000

SENATE FILE 2120  
BY BOLKCOM

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the establishment of a comprehensive tobacco  
2 use education and prevention program and making  
3 appropriations.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2120 APPROPRIATIONS

1 Section 1. NEW SECTION. 453D.1 DEFINITIONS.

2 As used in this chapter unless the context otherwise  
3 requires:

4 1. "Cigarette" means cigarette as defined in section  
5 453A.1 or as defined in section 453C.1.

6 2. "Retailer" means retailer as defined in section 453A.1.

7 3. "Tobacco" means and includes both cigarettes and  
8 tobacco products.

9 4. "Tobacco product" means tobacco product as defined in  
10 section 453A.1.

11 Sec. 2. NEW SECTION. 453D.2 COMPREHENSIVE TOBACCO USE  
12 EDUCATION AND PREVENTION PROGRAM.

13 1. A comprehensive tobacco use education and prevention  
14 program is created in the Iowa department of public health in  
15 cooperation and coordination with the department of justice.

16 2. The purpose of the program is to reduce the number of  
17 minors and adults who begin to use cigarettes and tobacco  
18 products and to reduce the number of Iowans whose health is  
19 compromised or whose lives are shortened through the use of  
20 cigarettes and tobacco products. It is also the purpose of  
21 the program to substantially reduce the need for public and  
22 private expenditures of funds for the treatment of tobacco-  
23 related illness and disease.

24 3. The program shall consist of all of the following:

25 a. A school-based component.

26 b. A youth and community partnership component.

27 c. A smoking cessation component.

28 d. A research component.

29 e. A media campaign component.

30 f. A local law enforcement unit component.

31 g. A statewide tobacco use law component.

32 h. A monitoring and evaluation component.

33 i. An administrative and management component.

34 Sec. 3. NEW SECTION. 453D.3 PROGRAM COMPONENT PURPOSES

35 -- TOBACCO USE ADVISORY COMMITTEE CREATED.

1 1. The components of the comprehensive tobacco use  
2 education and prevention program shall be based on the  
3 following:

4 a. The purpose of the school-based component is to reduce  
5 tobacco use by minors through a broad-based tobacco use  
6 education and prevention program. The program shall utilize a  
7 variety of school-based activities at the state and local  
8 levels, including but not limited to the assessment of  
9 antitobacco use curricula, training of teachers and other  
10 school personnel in the implementation of antitobacco use  
11 curricula and other school tobacco use prevention programs,  
12 incorporation of tobacco use content issues in diverse parts  
13 of the curriculum, development of in-class educational  
14 activities, distribution of age-appropriate learning materials  
15 with antitobacco use content, and in-school support for  
16 cessation programs directed toward minors.

17 b. The youth and community partnership component shall  
18 include strong participation by minors and diverse groups at  
19 the community level. Activities shall include, but are not  
20 limited to, developing a statewide youth group to educate  
21 minors about tobacco use and to assist in designing programs  
22 and media campaigns to reach minors, organizing youth tobacco  
23 use summits to encourage youth participation in tobacco use  
24 prevention activities, mobilizing culturally and ethnically  
25 diverse segments of the population to ensure their  
26 contribution to and benefiting from tobacco use prevention  
27 efforts, and recruiting local organizations to actively  
28 participate in community tobacco use education and prevention  
29 activities.

30 c. The comprehensive goal of the smoking cessation  
31 component is the prevention of tobacco addiction among youth  
32 and shall provide support for minors and adults who currently  
33 use tobacco but who indicate the desire to terminate use. The  
34 smoking cessation efforts shall include, but are not limited  
35 to investigating the effectiveness of alternative smoking

1 cessation programs and strategies; implementing programs to  
2 support tobacco users' efforts to terminate use; establishing  
3 outreach, information, and referral networks to publicize  
4 cessation options and opportunities to diverse segments of the  
5 population; and providing smoking cessation assistance to low-  
6 income persons.

7 d. The intent of the research component is to sponsor or  
8 support research efforts related to the goal of reducing  
9 tobacco use and the negative effects of tobacco use. Such  
10 research may include a study of youth and adult attitudes,  
11 knowledge, beliefs, and behaviors regarding tobacco use, and  
12 identification of optimal approaches to restricting youth  
13 access to tobacco, reducing youth demand for tobacco, and  
14 fostering successful cessation efforts.

15 e. The media component shall include a multifaceted media  
16 campaign to communicate to minors and adults the entire range  
17 of dangers associated with the use of tobacco, and to employ  
18 state-of-the-art techniques in discouraging tobacco use by  
19 youth. Media efforts shall include, but are not limited to,  
20 the use of television, radio, print, and other media.

21 f. The goal of the local law enforcement component is to  
22 achieve compliance with laws relating to youth access to and  
23 use of tobacco, as well as other laws governing tobacco use.  
24 This component shall include support to local jurisdictions  
25 seeking to commit law enforcement personnel to tobacco use law  
26 enforcement, training for local authorities regarding tobacco  
27 use laws, and retailer education efforts. This component  
28 shall be administered by the department of justice.

29 g. The goal of the statewide tobacco use law component is  
30 to ensure the necessary coordination of local government  
31 efforts with statewide efforts. A statewide tobacco use law  
32 unit shall be established to track legal developments relating  
33 to tobacco use in other states and at the federal level and  
34 shall act as a resource to local authorities and the general  
35 assembly. The tobacco use law unit shall enforce tobacco

1 settlement agreements or judgments, coordinate tobacco use law  
2 enforcement initiatives with other states, and enforce Iowa's  
3 consumer protection laws as they relate to tobacco use. The  
4 statewide tobacco use unit shall be located within, and shall  
5 be administered by, the department of justice.

6 h. The monitoring and evaluation component shall include  
7 the monitoring of tobacco use and practices which promote  
8 tobacco use in Iowa and the development of tools and  
9 procedures for evaluating the effectiveness of efforts  
10 undertaken by state and local authorities to reduce the use  
11 and negative effects of tobacco. This component shall include  
12 measurement of the extent of tobacco use and practices  
13 promoting tobacco use among youth and adults, measurement of  
14 tobacco-related attitudes, beliefs, and behaviors, and  
15 collection of data from school-age youth, education personnel,  
16 and health providers. The monitoring and evaluation function  
17 shall be administered by the department of justice.

18 i. The administration and management component shall  
19 consist of the development of appropriate systems within the  
20 Iowa department of public health to administer and effectively  
21 manage the components of the comprehensive program assigned to  
22 the department.

23 2. a. A tobacco use advisory committee is created within  
24 the department of public health consisting of nine individuals  
25 appointed by the governor who represent the health, education,  
26 and enforcement communities as well as other groups with a  
27 special interest in the success of tobacco use education and  
28 prevention. Appointments shall comply with sections 69.16 and  
29 69.16A. Members shall serve staggered terms of two years.  
30 Vacancies shall be filled in the same manner as are original  
31 appointments. Committee members shall be reimbursed for  
32 actual and necessary expenses incurred in the performance of  
33 their duties and shall receive a per diem as specified in  
34 section 7E.6.

35 b. The committee shall select a chairperson annually from

1 its membership. A majority of the members of the committee  
2 shall constitute a quorum.

3 c. The committee shall meet at least four times annually  
4 and shall make recommendations regarding programs and policies  
5 to guide the comprehensive tobacco use education and  
6 prevention effort.

7 Sec. 4. Section 12.65, Code 1999, is amended to read as  
8 follows:

9 12.65 TOBACCO SETTLEMENT FUND.

10 A tobacco settlement fund is created in the office of the  
11 treasurer of state. ~~After-payment-of-litigation-costs, the~~  
12 The state portion of any moneys paid to the state by tobacco  
13 companies in settlement ~~of-the-state's-lawsuit~~ for the  
14 recovery of public expenditures associated with tobacco use  
15 shall be deposited in the tobacco settlement fund. Moneys  
16 deposited in the fund shall be used only as provided in  
17 appropriations from the fund ~~to-the-department-of-human~~  
18 ~~services-for-the-medical-assistance-program-and-to-the-Iowa~~  
19 ~~department-of-public-health-for-programs-to-reduce-smoking-by~~  
20 ~~teenage-youth. For-purposes-of-this-section, "litigation~~  
21 ~~costs" are those costs itemized by the attorney general and~~  
22 ~~submitted to and approved by the general assembly.~~

23 Sec. 5. APPROPRIATION. There is appropriated from the  
24 tobacco settlement fund created in section 12.65, for the  
25 fiscal year beginning July 1, 2000, and ending June 30, 2001,  
26 to the Iowa department of public health, the following  
27 amounts, or so much thereof as is necessary, to carry out the  
28 comprehensive tobacco prevention and education program, as  
29 provided in chapter 453D:

- 30 1. For the school reduction of tobacco use program
- 31 component:
- 32 ..... \$ 3,000,000
- 33 2. For the youth and community partnership program
- 34 component:
- 35 ..... \$ 4,500,000

- 1     3. For the cessation program component:
- 2 ..... \$ 3,000,000
- 3     4. For the research program component:
- 4 ..... \$ 1,000,000
- 5     5. For the media campaign program component:
- 6 ..... \$ 6,200,000
- 7     6. For the administration and management program
- 8 component:
- 9 ..... \$ 300,000

10     Sec. 6. APPROPRIATION. There is appropriated from the  
 11 tobacco settlement fund created in section 12.65, for the  
 12 fiscal year beginning July 1, 2000, and ending June 30, 2001,  
 13 to the department of justice, the following amounts, or so  
 14 much thereof as is necessary, to carry out the comprehensive  
 15 tobacco prevention and education program, as provided in  
 16 chapter 453D:

- 17     1. For the local law enforcement of tobacco use laws:
- 18 ..... \$ 2,500,000
- 19     2. For the statewide tobacco use law component:
- 20 ..... \$ 400,000
- 21     3. For the monitoring and evaluation component:
- 22 ..... \$ 700,000

23                                   EXPLANATION

24     This bill creates a comprehensive tobacco use education and  
 25 prevention program within the Iowa department of public  
 26 health, in cooperation and coordination with the department of  
 27 justice. The program includes nine components, the purposes  
 28 and activities of which are described in the bill. The  
 29 components include a school-based component, a youth and  
 30 community partnership component, a smoking cessation  
 31 component, a research component, a media campaign component, a  
 32 local law enforcement component, a statewide tobacco use law  
 33 unit component, a monitoring and evaluation component, and an  
 34 administrative and management component. With the exception  
 35 of the local law enforcement component, the statewide tobacco

1 use law unit component, and the monitoring and evaluation  
2 component which are administered by the department of justice,  
3 all other components are administered by the Iowa department  
4 of public health.

5 The bill amends existing law creating the tobacco  
6 settlement fund. The bill removes language relating to  
7 payment of litigation costs and relating to a reference to  
8 settlement of the state's lawsuit. The bill provides that the  
9 moneys deposited in the fund are to be used only as provided  
10 in appropriations from the fund and eliminates the limitations  
11 of appropriation of the moneys in the fund to only the  
12 department of human services for medical assistance programs  
13 and to the Iowa department of public health for programs to  
14 reduce smoking by teenage youth.

15 The bill makes appropriations to the Iowa department of  
16 public health and the department of justice for their  
17 respective components of the program from the tobacco  
18 settlement fund.

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