

SENATE BILL NO. 495

INTRODUCED BY G. HERTZ

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE TOBACCO PREVENTION ADVISORY BOARD; AMENDING SECTION 17-6-606, MCA; REPEALING SECTION 17-6-610, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 17-6-606, MCA, is amended to read:

"17-6-606. Tobacco settlement accounts -- purpose -- uses. (1) The purpose of this section is to dedicate a portion of the tobacco settlement proceeds to fund statewide programs for tobacco disease prevention designed to:

- (a) discourage children from starting use of tobacco;
- (b) assist adults in quitting use of tobacco; and
- (c) provide funds for the children's health insurance program.

(2) An amount equal to 32% of the total yearly tobacco settlement proceeds received after June 30, 2003, must be deposited in a state special revenue account. Subject to subsection (5), the funds referred to in this subsection may be used only for funding statewide programs for tobacco disease prevention designed to prevent children from starting tobacco use and to help adults who want to quit tobacco use. The department of public health and human services shall manage the tobacco disease prevention programs and shall adopt rules to implement the programs. In adopting rules, the department shall consider the standards contained in Best Practices for Comprehensive Tobacco Control Programs--August 1999 or its successor document, published by the U.S. department of health and human services, centers for disease control and prevention.

(3) An amount equal to 17% of the total yearly tobacco settlement proceeds received after June 30, 2003, must be deposited in a state special revenue account. Subject to subsection (5), the funds referred to in this subsection may be used only for matching funds to secure the maximum amount of federal funds for the Children's Health Insurance Program Act provided for in Title 53, chapter 4, part 10.

1 (4) Funds deposited in a state special revenue account, as provided in subsection (2) or (3), that  
2 are not appropriated within 2 years after the date of deposit must be transferred to the trust fund.

3 (5) The legislature shall appropriate money from the state special revenue accounts provided for in  
4 this section for programs for tobacco disease prevention, and for the programs referred to in the subsection  
5 establishing the account, ~~and for funding the tobacco prevention advisory board.~~

6 (6) Programs funded under this section that are private in nature may be funded through  
7 contracted services."

8

9 NEW SECTION. Section 2. Repealer. The following section of the Montana Code Annotated is  
10 repealed:

11 17-6-610. Tobacco prevention advisory board.

12

13 NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

14

- END -