

AN ACT

ENTITLED, An Act to create a tobacco prevention and cessation program and trust fund.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. There is hereby created the tobacco prevention and reduction program in the Department of Human Services.

Section 2. There is created an eleven member Tobacco Prevention and Reduction Advisory Board. The Governor shall appoint the members to the board. The terms of the initial appointments shall be: four members appointed to a one-year term, four members appointed to a two-year term, and three members appointed to a three-year term. All subsequent appointments shall be for a three-year term. Any member appointed to fill a vacancy other than the natural expiration of a term shall serve for only the unexpired portion of the term. No member of the board may be affiliated with the tobacco industry. The board shall meet at least two times per year.

Section 3. The Tobacco Prevention and Reduction Advisory Board, in collaboration with the Department of Human Services, shall develop and approve a state-wide strategic plan to prevent and reduce tobacco use. The plan shall set forth short term and long term goals, adequate benchmarks and standards by which measures of program success under section 4 of this Act may be appropriately evaluated. The board shall be responsible for establishing program priorities, criteria for awarding grants, and assessing overall program performance.

Section 4. The tobacco prevention and reduction plan and moneys allocated therefor may be used for the following programs or grants:

- (1) Community based programs;
- (2) School based programs;
- (3) State-wide programs;
- (4) Cessation programs;
- (5) Public education and counter marketing;

- (6) Enforcement of effective tobacco laws;
- (7) Evaluation of tobacco programs; or
- (8) Administration and oversight.

Section 5. The Tobacco Prevention and Reduction Advisory Board shall submit an annual report to the Governor and the Legislature. The annual report shall detail the progress toward meeting program goals and objectives, including reporting on changes in tobacco consumption, tobacco use rates, and attitudes towards tobacco, especially among children and other high risk populations.

Section 6. The tobacco prevention and reduction trust fund is established in the state treasury. Interest earned on money in the fund shall be credited to the fund. Any money from gifts, grants, or other funds may be deposited in the fund. The principal and interest may be appropriated by the Legislature from the fund. The fund shall be invested according to §§ 4-5-23 and 4-5-26.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1243

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1243
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

20__ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State