

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

881D0508

SENATE ENGROSSED NO. **HB1243** - 2/23/00

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

Introduced by: Representatives Peterson, Brown (Jarvis), Brown (Richard), Clark, Fischer-Clemens, Lucas, McCoy, Michels, Sutton (Duane), and Wilson and Senators Daugaard, Lawler, Madden, Symens, and Whiting

1 FOR AN ACT ENTITLED, An Act to create a tobacco prevention and cessation program and
2 trust fund.

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

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

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

14 Section 3. The Tobacco Prevention and Reduction Advisory Board, in collaboration with the
15 Department of Human Services, shall develop and approve a state-wide strategic plan to prevent

1 and reduce tobacco use. The plan shall set forth short term and long term goals, adequate
2 benchmarks and standards by which measures of program success under section 4 of this Act
3 may be appropriately evaluated. The board shall be responsible for establishing program
4 priorities, criteria for awarding grants, and assessing overall program performance.

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

- 7 (1) Community based programs;
- 8 (2) School based programs;
- 9 (3) State-wide programs;
- 10 (4) Cessation programs;
- 11 (5) Public education and counter marketing;
- 12 (6) Enforcement of effective tobacco laws;
- 13 (7) Evaluation of tobacco programs; or
- 14 (8) Administration and oversight.

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

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

1 **BILL HISTORY**

2 1/21/00 First read in House and referred to committee assignment waived. H.J. 178

3 1/24/00 Referred to State Affairs.

4 1/28/00 Scheduled for Committee hearing on this date.

5 1/28/00 Deferred by Chair.

6 2/7/00 Scheduled for Committee hearing on this date.

7 2/7/00 State Affairs Deferred to another day, AYES 10, NAYS 3.

8 2/8/00 Scheduled for Committee hearing on this date.

9 2/8/00 State Affairs Do Pass, Passed, AYES 10, NAYS 2. H.J. 516

10 2/10/00 Motion to Amend, Passed. H.J. 593

11 2/10/00 House of Representatives Do Pass Amended, Failed, AYES 42, NAYS 26. H.J. 593

12 2/10/00 House of Representatives Deferred to another day, AYES 58, NAYS 9. H.J. 594

13 2/11/00 House of Representatives Reconsidered, AYES 58, NAYS 8. H.J. 602

14 2/11/00 Motion to Amend, Passed. H.J. 603

15 2/11/00 House of Representatives Do Pass Amended, Passed, AYES 53, NAYS 13. H.J. 603

16 2/14/00 First read in Senate and referred to State Affairs. S.J. 458

17 2/16/00 Scheduled for Committee hearing on this date.

18 2/18/00 State Affairs Hog Housed.

19 2/18/00 Scheduled for Committee hearing on this date.

20 2/18/00 State Affairs Do Pass Amended, Passed, AYES 8, NAYS 1. S.J. 567

21 2/23/00 Motion to Amend, Passed.

22 2/23/00 Senate Do Pass Amended, Passed, AYES 34, NAYS 1.