

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2017

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SENATE BILL 478*

Short Title: Strengthen Youth Tobacco Use Prevention/Funds. (Public)

Sponsors: Senators Woodard, Dunn (Primary Sponsors); Foushee and Van Duyn.

Referred to: Rules and Operations of the Senate

March 30, 2017

A BILL TO BE ENTITLED

AN ACT PROTECTING NORTH CAROLINA YOUTH FROM THE DANGERS OF TOBACCO USE.

Whereas, tobacco use is the leading cause of preventable death in North Carolina and the United States, and there are currently 180,000 youth alive in North Carolina who will die prematurely from smoking; and

Whereas, in North Carolina, nearly three out of every 10 high school students use tobacco products, and the use of electronic cigarettes by North Carolina high school students increased 888% between 2011 and 2015, from 1.7% to 16.8%; and

Whereas, the United States Surgeon General reported that electronic cigarette use among youth and young adults is an emerging public health threat, use of products containing nicotine in any form among young people is unsafe, secondhand electronic cigarette aerosol that is exhaled into the air by users is not harmless, and states must take action to prevent harm rather than waiting for harm to occur; and

Whereas, smoking directly causes \$3.81 billion in health care costs in North Carolina every year, and Medicaid costs caused by smoking are more than \$931 million yearly; and

Whereas, North Carolinians pay an extra \$874 per household in taxes due to smoking-related government expenditures, and smoking causes \$4.24 billion in productivity losses in North Carolina every year; and

Whereas, evidence shows that funding to create State and community interventions that encourage individuals to avoid tobacco use and help perpetuate social norms that discourage tobacco use are some of the most effective ways to prevent tobacco use and tobacco-related chronic disease and death among youth and people of childbearing age; and

Whereas, North Carolina receives approximately \$140 million every year from the Master Settlement Agreement, which was intended to be used for tobacco use prevention programs; and by spending a fraction of this on prevention, North Carolina can save on future medical costs caused by tobacco-related illnesses and save thousands of youth from becoming daily smokers; and

Whereas, an investment of \$17 million a year in tobacco use prevention programs could save North Carolina almost \$196 million in future health care expenditures; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. Article 39 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-313.5. Tobacco Use Prevention Fund.



1 (a) Creation of Tobacco Use Prevention Fund. – The Tobacco Use Prevention Fund is
2 created as a restricted reserve in the Department of Health and Human Services, Division of
3 Public Health, Chronic Disease and Injury Section. Monies in the Fund do not revert but
4 remain available to the Department for these purposes.

5 (b) Purpose. – The purpose of the Fund is to prevent the use of new and emerging
6 tobacco products, including electronic cigarettes, especially among youth and people of
7 childbearing age. The Department of Health and Human Services may use monies in the Fund
8 only for the following purposes:

9 (1) To create regional tobacco use prevention programs covering all 100
10 counties in North Carolina to engage young people in tobacco use
11 prevention teams in counties and school districts across the region, provide
12 education and training of youth leaders at the local level, and reach young
13 people with effective tobacco use prevention, with an emphasis on
14 preventing the use of new and emerging tobacco products, including
15 electronic cigarettes.

16 (2) To provide technical assistance and oversight of the regional tobacco use
17 prevention programs.

18 (3) For evidence-based education campaigns on the health risks of tobacco use,
19 new and emerging tobacco products, including electronic cigarettes, and
20 effective tobacco use prevention and control strategies and policies through
21 channels known to effectively reach youth, parents, and communities across
22 the State.

23 (4) For education and enforcement of G.S. 14-313, including with respect to
24 new and emerging tobacco products.

25 (5) To conduct an independent, university-based evaluation of the reach and
26 effectiveness of the State's tobacco use prevention programs.

27 (c) Administration. – The Department of Health and Human Services shall develop
28 guidelines providing for the administration of the Fund. The Department may use up to
29 twenty-five percent (25%) of the amount appropriated to the Tobacco Use Prevention Fund to
30 administer the Fund.

31 (d) Disbursement of Funds. – The Department may disburse funds from the Tobacco
32 Use Prevention Fund to any local health department or other organization with an interest in
33 preventing tobacco use that does not receive funding from the tobacco industry upon a
34 demonstration by the local health department or organization of both of the following:

35 (1) A purpose authorized by subsection (b) of this section.

36 (2) A commitment to compliance with guidelines developed by the Department
37 on evidence-based tobacco use prevention and control strategies."

38 **SECTION 2.** There is appropriated from the General Fund to the Department of
39 Health and Human Services, Division of Public Health, Chronic Disease and Injury Section, the
40 sum of seventeen million dollars (\$17,000,000) for the 2017-2018 fiscal year and the sum of
41 seventeen million dollars (\$17,000,000) for the 2018-2019 fiscal year. These funds shall be
42 allocated during each year of the 2017-2019 fiscal biennium to the Tobacco Use Prevention
43 Fund created by G.S. 14-313.5, as enacted by this act.

44 **SECTION 3.** This act becomes effective July 1, 2017.