

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2017

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HOUSE BILL 276

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

Sponsors: Representatives Lambeth, Adcock, Dobson, and Watford (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Health, if favorable, Appropriations

March 8, 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 Public
3 Health, Chronic Disease and Injury Section. Monies in the Fund do not revert but remain available
4 to the Department for these purposes.

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

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

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

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

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

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

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

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

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

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

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

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