

BY: Senator Harris

AMENDMENTS TO HOUSE BILL NO. 190

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “providing for the distribution of certain tobacco tax revenue to a special fund to be used only for certain purposes; requiring the Comptroller to make a certain computation; requiring the Governor to include certain information in the annual State budget submission; requiring the Governor to report certain information;”; in line 20, after “Section” insert “2-1603,”; and in the same line, before “and” insert a comma.

AMENDMENT NO. 2

On page 2, after line 33, insert:

“2-1603.

(A) [After] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AFTER making the distributions required under §§ 2-1601 and 2-1602 of this subtitle, the Comptroller shall distribute the remaining tobacco tax revenue to the General Fund of the State.

(B) (1) FOR EACH FISCAL YEAR, BEFORE MAKING THE DISTRIBUTION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE TO A SPECIAL FUND 100% OF THE ADDITIONAL TOBACCO TAX REVENUE RESULTING FROM THE INCREASE IN THE TOBACCO TAX RATE UNDER CHAPTER (H.B. 190) OF THE ACTS OF THE GENERAL ASSEMBLY OF 1999, AS DETERMINED BY THE COMPTROLLER.

(2) THE MONEYS IN THE SPECIAL FUND ESTABLISHED UNDER THIS SUBSECTION SHALL BE USED ONLY TO PAY FOR THE:

(I) REDUCTION OF THE USE OF TOBACCO PRODUCTS BY MINORS;

(Over)

(II) IMPLEMENTATION OF THE SOUTHERN MARYLAND REGIONAL STRATEGY-ACTION PLAN FOR AGRICULTURE ADOPTED BY THE TRI-COUNTY COUNCIL FOR SOUTHERN MARYLAND WITH AN EMPHASIS ON ALTERNATIVE CROP USES FOR AGRICULTURAL LAND NOW USED FOR GROWING TOBACCO, WITH AT LEAST 10% OF THE MONEYS FROM THE SPECIAL FUND BEING USED FOR THIS PURPOSE;

(III) ENFORCEMENT OF THE LAWS REGARDING TOBACCO SALES TO MINORS, AND USE AND POSSESSION OF TOBACCO BY MINORS; AND

(IV) SMOKING CESSATION PROGRAMS FOR MINORS.

(3) FOR EACH PROGRAM, PROJECT, OR ACTIVITY RECEIVING FUNDS APPROPRIATED UNDER THIS SECTION, THE GOVERNOR SHALL:

(I) DEVELOP APPROPRIATE STATEMENTS OF VISION, MISSION, KEY GOALS, KEY OBJECTIVES, AND KEY PERFORMANCE INDICATORS AND REPORT THESE STATEMENTS IN A DISCRETE PART OF THE STATE BUDGET SUBMISSION, WHICH SHALL ALSO PROVIDE DATA FOR KEY PERFORMANCE INDICATORS; AND

(II) REPORT ANNUALLY, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY NO LATER THAN OCTOBER 1 ON:

1. TOTAL FUNDS EXPENDED, BY PROGRAM AND SUBDIVISION, IN THE PRIOR FISCAL YEAR FROM THE FUND ESTABLISHED UNDER THIS SECTION; AND

2. THE SPECIFIC OUTCOMES OR PUBLIC BENEFITS RESULTING FROM THAT EXPENDITURE.”.