

HOUSE BILL 1178

Unofficial Copy  
J1

2000 Regular Session  
0lr1607  
CF 0lr1716

---

By: **Delegate R. Baker**

Introduced and read first time: February 11, 2000

Assigned to: Environmental Matters

---

A BILL ENTITLED

1 AN ACT concerning

2 **Cigarette Restitution Fund - Expenditures for Public Health Objectives**  
3 **Only**

4 FOR the purpose of altering the authorized expenditures from the Cigarette  
5 Restitution Fund to prohibit disbursements for any purpose other than public  
6 health objectives; requiring the Governor to include in the annual budget bill  
7 appropriations from the Fund equivalent to greater than \$100,000,000 or 100%  
8 of the available funds; and generally relating to the Cigarette Restitution Fund.

9 BY repealing and reenacting, with amendments,  
10 Article - State Finance and Procurement  
11 Section 7-317(f) and (g)  
12 Annotated Code of Maryland  
13 (1995 Replacement Volume and 1999 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - State Finance and Procurement**

17 7-317.

18 (f) (1) Expenditures from the Cigarette Restitution Fund shall be made for  
19 the following purposes:

20 (i) reduction of the use of tobacco products by minors;

21 (ii) implementation of the Southern Maryland Regional  
22 Strategy-Action Plan for Agriculture adopted by the Tri-County Council for Southern  
23 Maryland with an emphasis on alternative crop uses for agricultural land now used  
24 for growing tobacco;

25 (iii) public and school education campaigns to decrease tobacco use  
26 with initial emphasis on areas targeted by tobacco manufacturers in marketing and  
27 promoting cigarette and tobacco products;

- 1 (iv) smoking cessation programs;
- 2 (v) enforcement of the laws regarding tobacco sales;
- 3 (vi) the purposes of the Maryland Health Care Foundation under  
4 Title 20, Subtitle 5 of the Health - General Article;
- 5 (vii) primary health care in rural areas of the State and areas  
6 targeted by tobacco manufacturers in marketing and promoting cigarette and tobacco  
7 products;
- 8 (viii) prevention, treatment, and research concerning cancer, heart  
9 disease, lung disease, tobacco product use, and tobacco control, including operating  
10 costs and related capital projects; AND
- 11 (ix) substance abuse treatment and prevention programs[; and
- 12 (x) any other public purpose].

13 (2) The provisions of this subsection may not be construed to affect the  
14 Governor's powers with respect to a request for an appropriation in the annual budget  
15 bill.

16 (g) (1) Amounts may only be expended from the Fund through  
17 appropriations in the State budget bill as provided in this subsection.

18 (2) The Governor shall include in the annual budget bill appropriations  
19 from the Fund equivalent to the [lesser] GREATER of \$100,000,000 or [90%] 100% of  
20 the funds estimated to be available to the Fund in the fiscal year for which the  
21 appropriations are made.

22 (3) For each fiscal year for which appropriations are made, [at least  
23 50%] 100% of the appropriations shall be made for those purposes enumerated in  
24 subsection (f)(1)(i) through (ix) of this section subject to the requirement of subsection  
25 (e)(2) of this section.

26 [(4) Any additional appropriations, not subject to paragraph (3) of this  
27 subsection, may be made for any lawful purpose.]

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to  
29 any funds estimated in the fiscal 2001 State budget (Chapter\_\_\_\_\_(H.B.\_\_\_\_\_) of the  
30 Acts of the General Assembly of 2000) and appropriated to the Cigarette Restitution  
31 Fund.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 July 1, 2000.