
By: **Delegates Rosenberg, Bromwell, Goldwater, Haynes, and Hubbard**

Introduced and read first time: January 29, 2003

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Cigarette Restitution Fund - Required Appropriations**

3 FOR the purpose of providing that appropriations from the Cigarette Restitution
4 Fund made for the purposes of the Maryland Medical Assistance Program may
5 not be counted as appropriations satisfying a certain requirement that a certain
6 percentage of Cigarette Restitution Funds be appropriated for certain purposes;
7 providing for the application of this Act; and generally relating to use of the
8 Cigarette Restitution Fund.

9 BY repealing and reenacting, without amendments,
10 Article - State Finance and Procurement
11 Section 7-317(f)
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2002 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - State Finance and Procurement
16 Section 7-317(g)(3)
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2002 Supplement)

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

21 **Article - State Finance and Procurement**

22 7-317.

23 (f) (1) The Cigarette Restitution Fund shall be used to fund:

24 (i) the Tobacco Use Prevention and Cessation Program established
25 under Title 13, Subtitle 10 of the Health - General Article;

26 (ii) the Cancer Prevention, Education, Screening, and Treatment
27 Program established under Title 13, Subtitle 11 of the Health - General Article; and

- 1 (iii) other programs that serve the following purposes:
- 2 1. reduction of the use of tobacco products by minors;
- 3 2. implementation of the Southern Maryland Regional
4 Strategy-Action Plan for Agriculture adopted by the Tri-County Council for Southern
5 Maryland with an emphasis on alternative crop uses for agricultural land now used
6 for growing tobacco;
- 7 3. public and school education campaigns to decrease tobacco
8 use with initial emphasis on areas targeted by tobacco manufacturers in marketing
9 and promoting cigarette and tobacco products;
- 10 4. smoking cessation programs;
- 11 5. enforcement of the laws regarding tobacco sales;
- 12 6. the purposes of the Maryland Health Care Foundation
13 under Title 20, Subtitle 5 of the Health - General Article;
- 14 7. primary health care in rural areas of the State and areas
15 targeted by tobacco manufacturers in marketing and promoting cigarette and tobacco
16 products;
- 17 8. prevention, treatment, and research concerning cancer,
18 heart disease, lung disease, tobacco product use, and tobacco control, including
19 operating costs and related capital projects;
- 20 9. substance abuse treatment and prevention programs; and
- 21 10. any other public purpose.

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

25 (g) (3) (I) For each fiscal year for which appropriations are made, at least
26 50% of the appropriations shall be made for those purposes enumerated in subsection
27 (f)(1)(i), (ii), and (iii)1 through 9 of this section subject to the requirement of
28 subsection (e)(2) of this section.

29 (II) APPROPRIATIONS MADE FOR THE PURPOSES OF THE
30 MARYLAND MEDICAL ASSISTANCE PROGRAM MAY NOT BE COUNTED AS
31 APPROPRIATIONS SATISFYING THE REQUIREMENT UNDER THIS PARAGRAPH.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2003, and shall be applicable to all fiscal years beginning after June 30,
34 2004.