



NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP)
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Testimony of Dyotha R Sweat
President, Charles County Branch of the NAACP
To the House Economic Matters Committee
on

HB 1011-Cigarettes, Other Tobacco Products, and Electronic Smoking Devices - Local
Law Authorization
February 23, 2021

Good morning Chair Kelley, Vice-Chair Feldman, and Members of the Finance Committee.

Thank you so much for calling this important hearing as well as for your leadership on this issue. I am submitting this **testimony in support of the Maryland local tobacco control bill, HB 1011**, on behalf of the Charles County Branch of the National Association for the Advancement of Colored People, the NAACP. Founded in 1909, the NAACP is the oldest and largest well-known civil rights organization in the United States.

In the wake of the current global pandemic, the need to eliminate as many preexisting conditions as possible becomes more pressing. Smoking leads to health conditions such as coronary heart disease, stroke, and lung cancer. In turn, these conditions all increase the risk of severe illness from COVID-19.

For communities of color, the need to address underlying health concerns that exacerbate COVID-19 is even more urgent. It is a sad fact that in 2017, the Office of Minority Health found that African Americans were 20 percent more likely to die from heart disease than

non-Hispanic whites.¹ More concerning, African American women are 60 percent more likely to have high blood pressure than non-Hispanic white women.²

Death Rate:

Age-adjusted heart disease death rates per 100,000 (2017)			
	Non-Hispanic Black	Non-Hispanic White	Non-Hispanic Black / Non-Hispanic White Ratio
Men	264.8	214.0	1.2
Women	166.3	131.9	1.3
Total	208.0	168.9	1.2

Source: CDC 2019. National Vital Statistics Report, Vol. 68, No. 9. Table 10.
https://www.cdc.gov/nchs/data/nvsr/nvsr68/nvsr68_09-508.pdf [PDF | 1.76MB]

For a largely Black state like Maryland, combating both COVID-19 and heart disease caused, in part, by smoking is a heavy lift. Even before the COVID-19 pandemic, the Maryland Department of Health found that 7,500 Marylanders die a year from tobacco-related causes.³ Yet, after the 2013 ruling in *Altadis v Prince George's County*, local governments in Maryland were stripped of the ability to pass new laws regulating tobacco products.⁴ Furthermore, the localities' ability to protect their residents from the effects of tobacco use was severely limited.

According to the CDC, being a current or former cigarette smoker increases your risk of severe illness from COVID-19.⁵ If the County is to control the spread of COVID-19 and similar diseases, working to reduce the prevalence of preexisting conditions linked to tobacco use such as coronary heart disease, stroke, and lung cancer is vital. The inability to

¹ <https://www.minorityhealth.hhs.gov/omh/browse.aspx?lvl=4&lvlID=19>

² *ibid*

³ https://phpa.health.maryland.gov/ohpetup/pages/tob_home.aspx#:~:text=7%2C500%20adults%20in%20Maryland%20die,toxins%20found%20in%20secondhand%20smoke.

⁴ *Altadis v Prince George's County*, 415 Md. 607, 4 A.3d 512 (2010), available at <H:\COAcases\85a10.wpd> (mdcourts.gov)

⁵ <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html#smoking>

pass any new laws to regulate tobacco products will make it more challenging to make those gains.

For these reasons, both the Maryland State Conference of the NAACP and the Charles County Branch of the NAACP **support HB 1011**.

If enacted, Senate Bill 410 will right the wrongs of the *Altadis v Prince George's County* ruling and return a county or locality's authority to regulate tobacco and related products. Local governments' ability to regulate tobacco is needed as the tobacco industry has a history of targeting predominately Black and Brown communities like Charles County. A recent study found that stores in predominantly Black neighborhoods were up to 10 times more likely to display tobacco ads inside and outside than retailers in areas with fewer Black residents.⁶ The Maryland State Conference of the NAACP views the preemption of local authority to control tobacco laws disempowers and disproportionately hurts racial and ethnic minorities and immigrants.

The passage of HB 1011 will not end the health problems of Maryland residents, but it will give its government the tools it requires to assist in the battle. We urge your colleagues on both sides of the aisle, as well as Governor Hogan, to support this bill's passage not just for Charles County, but the state of Maryland as a whole.

Thank you again, Chairman Kelley, for holding this important hearing and for soliciting the NAACP's thoughts, and for your continued leadership in this area.

⁶ Kirchner TR, Villanti AC, Cantrell J, *et al*

Tobacco retail outlet advertising practices and proximity to schools, parks, and public housing affect Syntar underage sales violations in Washington, DC
Tobacco Control 2015;**24**:e52-e58.