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Testimony of Political Action Committee Chair

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To the Senate Finance Committee

on

SB 0099-The Maryland Local Tobacco Control Bill

January 27, 2022

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

Thank you for the opportunity to speak on behalf of the Prince George's County NAACP. I am submitting this **testimony in support of the Maryland local tobacco control bill, SB 0099**, on behalf of the Prince George's County Branch of the National Association for the Advancement of Colored People, the NAACP. Founded in 1909, the NAACP is the oldest and largest, and well-known civil rights organization in the United States. It currently has more than 2,200 membership units in every state in the country, and the Prince George's County Branch is one of the largest in Maryland.

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.¹ In turn, the localities' ability to protect their residents from the effects of tobacco use was severely

¹ *Altadis v Prince George's County*

limited. This is especially worrisome since Department of Health found that 7,500 Marylanders a year die from tobacco-related causes.²

According to the CDC, being a current or former cigarette smoker increases your risk of severe illness from COVID-19.³ This statistic is incredibly problematic for Prince George's County since we currently have over 66,000 cases of COVID-19⁴, the highest number in the state of Maryland. 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 going to be vital. The inability to pass and 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 Prince George's County Branch of the NAACP **support SB 0099**.

If enacted, Senate Bill 0099 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 Prince George's 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.⁵ The Maryland State Conference of the NAACP views preemption, such as what we have in Maryland regarding tobacco as a tool, that when used by politicians, disempowers and disproportionately hurts people and racial and ethnic minorities and immigrants.

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

³ <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html#smoking>

⁴<https://princegeorges.maps.arcgis.com/apps/MapSeries/index.html?appid=82fa5c47b1f542849ca6162ab156443>

⁵ 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.

In the current health pandemic that we, unfortunately, find ourselves in, we need to work to eliminate as many preexisting conditions as possible. As stated earlier in our testimony, smoking leads to health conditions such as coronary heart disease, stroke, and lung cancer as a condition that increases the risk of severe illness from COVID-19. 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.⁶ More concerning, African American women are 60 percent more likely to have high blood pressure than non-Hispanic white women.⁷

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, and county like Prince George’s combating both COVID-19 and heart disease caused, in part, by smoking is a heavy lift. The passage of SB 0099 will not end the health problems of Maryland residents, but it will give the government the tools it needs to assist in the battle. We can only hold onto hope that your colleagues on both sides of the aisle as well as Governor Hogan can see the good this bill’s passage will do for not just Prince George’s 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 <https://www.minorityhealth.hhs.gov/omh/browse.aspx?lvl=4&lvlID=19>

⁷ *ibid*