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CRC ACTION

Commissioner .
Comm: FAV .
01/12/2018 .
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. .
. .

The Committee on Finance and Taxation (Nuñez) recommended the following:

CRC Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

ARTICLE X

MISCELLANEOUS

SECTION 27. Comprehensive Statewide Tobacco Education And
Prevention Program.—In order to protect people, especially
youth, from health hazards of using tobacco, including addictive
disorders, cancer, cardiovascular diseases, and lung diseases;



11 and to discourage use of tobacco, particularly among youth, a
12 portion of the money that tobacco companies pay to the State of
13 Florida under the Tobacco Settlement each year shall be used to
14 fund a comprehensive statewide tobacco education and prevention
15 program consistent with recommendations of the U.S. Centers for
16 Disease Control and Prevention (CDC), as follows:

17 (a) PROGRAM. The money appropriated pursuant to this
18 section shall be used to fund a comprehensive statewide tobacco
19 education and prevention program consistent with the
20 recommendations for effective program components in the 1999
21 *Best Practices for Comprehensive Tobacco Control Programs* of the
22 CDC, as such *Best Practices* may be amended by the CDC. This
23 program shall include, at a minimum, the following components,
24 and may include additional components that are also contained
25 within the CDC *Best Practices*, as periodically amended, and that
26 are effective at accomplishing the purpose of this section, and
27 that do not undermine the effectiveness of these required
28 minimum components:

29 (1) An advertising campaign to discourage the use of
30 tobacco and to educate people, especially youth, about the
31 health hazards of tobacco, which shall be designed to be
32 effective at achieving these goals and shall include, but need
33 not be limited to, television, radio, and print advertising,
34 with no limitations on any individual advertising medium
35 utilized; ~~and which shall be funded at a level equivalent to~~
36 ~~one-third of each total annual appropriation required by this~~
37 ~~section;~~

38 (2) Evidence-based curricula and programs to educate youth
39 about tobacco and to discourage their use of it, including, but



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40 not limited to, programs that involve youth, educate youth about
41 the health hazards of tobacco, help youth develop skills to
42 refuse tobacco, and demonstrate to youth how to stop using
43 tobacco;

44 (3) Programs of local community-based partnerships that
45 discourage the use of tobacco and work to educate people,
46 especially youth, about the health hazards of tobacco, with an
47 emphasis on programs that involve youth and emphasize the
48 prevention and cessation of tobacco use;

49 (4) Enforcement of laws, regulations, and policies against
50 the sale or other provision of tobacco to minors, and the
51 possession of tobacco by minors; and

52 (5) Publicly-reported annual evaluations to ensure that
53 moneys appropriated pursuant to this section are spent properly,
54 which shall include evaluation of the program's effectiveness in
55 reducing and preventing tobacco use, and annual recommendations
56 for improvements to enhance the program's effectiveness, which
57 are to include comparisons to similar programs proven to be
58 effective in other states, as well as comparisons to CDC *Best*
59 *Practices*, including amendments thereto.

60 (6) Research of Cancer. Funds appropriated shall be
61 distributed evenly between competitive cancer research projects
62 that are administered by the biomedical research advisory
63 council. After consultation with the biomedical research
64 advisory council, the state surgeon general shall award the
65 grants.

66 (b) FUNDING.

67 (1) Each fiscal year ~~In every year beginning with the~~
68 ~~calendar year after voters approve this amendment,~~ the Florida



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69 legislature shall appropriate, for the purpose expressed herein,
70 from the total gross funds that tobacco companies pay to the
71 State of Florida under the Tobacco Settlement, an amount equal
72 to fifteen percent of such funds paid to the State in 2005; and
73 the appropriation required by this section shall be adjusted
74 annually for inflation, using the Consumer Price Index as
75 published by the United States Department of Labor.

76 (c) DEFINITIONS. "Tobacco" includes, without limitation,
77 tobacco itself and tobacco products that include tobacco and are
78 intended or expected for human use or consumption, including,
79 but not limited to, cigarettes, cigars, pipe tobacco, and
80 smokeless tobacco. The "Tobacco Settlement" means that certain
81 Settlement Agreement dated August 25, 1997, entered into in
82 settlement of the case styled as *State of Florida, et al. v.*
83 *American Tobacco Company, et al.*, Case No. 95-1466 AH (Fla. 15th
84 Cir. Ct.), as amended by Stipulation of Amendment dated
85 September 11, 1998; and includes any subsequent amendments and
86 successor agreements. "Youth" includes minors and young adults.

87 ~~(d) EFFECTIVE DATE. This amendment shall become effective~~
88 ~~immediately upon approval by the voters.~~

91 ===== T I T L E A M E N D M E N T =====

92 And the title is amended as follows:

93 Delete everything before the enacting clause
94 and insert:

95 A proposal to amend

96 Section 27 of Article X of the State Constitution to
97 require that cancer research be included in the comprehensive



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98 | statewide tobacco education and prevention program.
99 |