

Regular Session, 2013

SENATE BILL NO. 115

BY SENATOR BROOME

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FUNDS/FUNDING. Provides for the allocation of monies appropriated from the Tobacco Tax Health Care Fund. (7/1/13)

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AN ACT

To amend and reenact R.S. 47:841.1(C), relative to the Tobacco Tax Health Care Fund; to provide for the allocation of certain monies appropriated from the fund; to provide funding from the fund for the Pennington Biomedical Research Center; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:841.1(C) is hereby amended and reenacted to read as follows:

§841.1. Tobacco Tax Health Care Fund

* * *

C.(1) Subject to an annual appropriation by the legislature, ~~forty-two and eight-tenths~~ **twenty-five** percent of the monies collected under authority of R.S. 47:841(B)(4) in the fund shall be used solely for the purpose of providing funding for the Louisiana Cancer Research Center of L.S.U. Health Sciences Center in New Orleans/Tulane Health Sciences Center, and ~~twenty-nine and two-tenths~~ **twenty-five** percent of monies collected under authority of R.S. 47:841(B)(4) shall be used solely for the purposes of funding for the creation of smoking prevention mass media programs and evidence-based tobacco control programs within the public hospital

1 system and the public school system and community development programs directed
2 at cessation among children and pregnant women and the screening, prevention, and
3 treatment of tobacco use and dependence among individuals with diseases caused or
4 exacerbated by tobacco use. The Southern University Board of Supervisors shall
5 participate in the planning and expenditure of funds for the creation of smoking
6 prevention mass media programs and evidence-based tobacco control programs as
7 specified in this Paragraph. Any financial benefit to be derived from any intellectual
8 property or other ownership interest resulting from research or other activities
9 conducted by, or in conjunction with, the Louisiana Cancer Research Center of
10 L.S.U. Health Sciences Center in New Orleans/Tulane Health Sciences Center, or its
11 successor, shall be shared with the state pursuant to a written agreement executed
12 between the parties and approved by the Joint Legislative Committee on the Budget.

13 (2) Subject to an annual appropriation by the legislature, ~~twenty-eight~~
14 **twenty-five** percent of the monies collected under authority of R.S. 47:841(B)(4) in
15 the fund shall be used solely to provide funding for the Cancer Center of Louisiana
16 State University Health Sciences Center in Shreveport. Any financial benefit to be
17 derived from any intellectual property or other ownership interest resulting from
18 research or other activities conducted by, or in conjunction with, the Cancer Center
19 of Louisiana State University Health Sciences Center in Shreveport, or its successor,
20 shall be shared with the state pursuant to a written agreement executed between the
21 parties and approved by the Joint Legislative Committee on the Budget.

22 (3) **Subject to an annual appropriation by the legislature, twenty-five**
23 **percent of the monies collected under authority of R.S. 47:841(B)(4) in the fund**
24 **shall be used solely to provide funding for the Pennington Biomedical Research**
25 **Center in Baton Rouge. Any financial benefit to be derived from any intellectual**
26 **property or other ownership interest resulting from research or other activities**
27 **conducted by, or in conjunction with, the Pennington Biomedical Research**
28 **Center, or its successor, shall be shared with the state pursuant to a written**
29 **agreement executed between the parties and approved by the Joint Legislative**

1 **Committee on the Budget.**

2 ~~(4)~~ **(5)** Subject to an annual appropriation by the legislature, twenty percent of
 3 the monies collected under authority of R.S. 47:841(B)(5) in the fund shall be used
 4 solely to provide funding for the office of behavioral health, Department of Health
 5 and Hospitals.

6 ~~(4)~~ **(5)** Subject to an annual appropriation by the legislature, twenty percent
 7 of the monies collected under authority of R.S. 47:841(B)(5) in the fund shall be
 8 used solely to provide funding for the Louisiana State University Agricultural Center
 9 and the Southern University Agricultural Research and Extension Center, provided
 10 that the annual appropriation to Southern University Agricultural Research and
 11 Extension Center from this source shall be one million dollars per year.

12 ~~(5)~~ **(6)** Subject to an annual appropriation by the legislature, twenty percent
 13 of the monies collected under authority of R.S. 47:841(B)(5) in the fund shall be
 14 used solely to provide funding for the administration and operation of Drug Abuse
 15 Resistance Education (D.A.R.E.) programs.

16 ~~(6)~~ **(7)** Subject to an annual appropriation by the legislature, forty percent of
 17 the monies collected under authority of R.S. 47:841(B)(5) in the fund shall be used
 18 solely to provide funding for the office of state police, Department of Public Safety
 19 and Corrections.

20 Section 2. This Act shall become effective on July 1, 2013; if vetoed by the
 21 governor and subsequently approved by the legislature, this Act shall become effective on
 22 July 1, 2013, or on the day following such approval by the legislature, whichever is later.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

Proposed law, relative to allocation of monies appropriated from the Tobacco Tax Health
 Care Fund from the proceeds of a 7/20 of one percent tax on cigarettes (R.S. 47:481(B)(4)):

- (1) Reduces from 42.8% to 25%, the allocation to be used solely for the purpose of providing funding for the Louisiana Cancer Research Center of LSU Health Sciences Center in New Orleans/Tulane Health Sciences Center.
- (2) Reduces from 29.2% to 25%, the allocation to be used solely for the purposes of

funding for the creation of smoking prevention mass media programs and evidence-based tobacco control programs within the public hospital system and the public school system and community development programs directed at cessation among children and pregnant women and the screening, prevention, and treatment of tobacco use and dependence among individuals with diseases caused or exacerbated by tobacco use.

- (3) Reduces from 28% to 25%, the allocation to be used solely to provide funding for the Cancer Center of Louisiana State University Health Sciences Center in Shreveport.

Proposed law requires that 25% of the monies be used solely to provide funding for the Pennington Biomedical Research Center in Baton Rouge. Requires that any financial benefit to be derived from any intellectual property or other ownership interest resulting from research or other activities conducted by, or in conjunction with, the Pennington Biomedical Research Center, or its successor, be shared with the state pursuant to a written agreement executed between the parties and approved by the Joint Legislative Committee on the Budget.

Proposed law retains present law, relative to allocation of monies appropriated from the Tobacco Tax Health Care Fund from the proceeds of a 5/20 of one per cent tax on cigarettes (R.S. 47:481(B)(5)):

- (1) Requires that 20% of the monies be used solely to provide funding for the office of behavioral health, DHH.
- (2) Requires that 20% of the monies be used solely to provide funding for the LSU Agricultural Center and the Southern University Agricultural Research and Extension Center, provided that the annual appropriation to Southern University Agricultural Research and Extension Center from this source shall be one million dollars per year.
- (3) Requires that 20% of the monies be used solely to provide funding for the administration and operation of D.A.R.E. programs.
- (4) Requires that 40% of the monies be used solely to provide funding for the office of state police, DPS&C.

Effective July 1, 2013.

(Amends R.S. 47:841.1(C))