

HOUSE BILL 1070

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By: **Delegates Rosenberg, Frush, Hubbard, Oaks, and Pena–Melnyk**

Introduced and read first time: February 6, 2014

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Health and Mental Hygiene – Cigarette Restitution Fund –**
3 **Report**

4 FOR the purpose of requiring the Department of Health and Mental Hygiene, on or
5 before a certain date, to report to the General Assembly on funding necessary
6 for Cigarette Restitution Fund–eligible programs to implement the actions
7 recommended in a certain report; and generally relating to the Cigarette
8 Restitution Fund and a report from the Department of Health and Mental
9 Hygiene.

10 Preamble

11 WHEREAS, The Surgeon General of the United States has found that each day
12 in the United States, more than 3,800 minors smoke their first cigarette and that more
13 than 1,000 minors are daily smokers; and

14 WHEREAS, The Surgeon General of United States has found that one–fourth of
15 all high school seniors and one–third of young adults smoke recreationally; and

16 WHEREAS, The Surgeon General of the United States has found that 99% of
17 adults who are daily smokers started smoking when they were 26 years old or
18 younger; and

19 WHEREAS, The Surgeon General of the United States has found that the vast
20 majority of Americans who begin daily smoking during adolescence are addicted to
21 nicotine by young adulthood; and

22 WHEREAS, The Surgeon General of the United States has found that early
23 addiction to nicotine keeps people smoking, causing increased physical damage, such
24 as early abdominal aortic atherosclerosis, which affects the flow of blood to vital

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 organs such as the lungs, as well as reduced lung growth that can increase the risk of
2 chronic obstructive pulmonary disease later in life and reduced lung function; and

3 WHEREAS, The Surgeon General of the United States has found that
4 adolescents and young adults are uniquely susceptible to social and environmental
5 influences to use tobacco, and that tobacco companies spend billions of dollars on
6 cigarette and smokeless tobacco marketing; and

7 WHEREAS, The Surgeon General of the United States has found that spending
8 on cigarette marketing is 48% higher than in 1998, the year of the Master Settlement
9 Agreement, and that expenditures for marketing smokeless tobacco are 277% higher
10 than in 1998; and

11 WHEREAS, The Surgeon General of the United States has found that tobacco
12 company expenditures have become increasingly concentrated on marketing efforts
13 that reduce the prices of targeted tobacco products, and that these expenditures
14 accounted for approximately 84% of cigarette marketing and more than 77% of the
15 marketing of smokeless tobacco products in 2008; and

16 WHEREAS, The Surgeon General of the United States has found that evidence
17 is sufficient to conclude that there is a causal relationship between advertising and
18 promotional efforts of the tobacco companies and the initiation and progression of
19 tobacco use among young people; and

20 WHEREAS, The Surgeon General of the United States has found that
21 prevention efforts must focus on both adolescents and young adults; and

22 WHEREAS, The Surgeon General of the United States has found that
23 coordinated high-impact interventions are effective in reducing the initiation and
24 prevalence of smoking among youth; and

25 WHEREAS, The Surgeon General of the United States has found that
26 interventions, including mass media campaigns, can be one of the most effective
27 strategies in changing social norms and preventing youth smoking, including media
28 advertisements designed for adults, which also decrease the prevalence of smoking
29 among youth; and

30 WHEREAS, The Surgeon General of the United States has found that
31 interventions, including raising state taxes on tobacco products, improve public health
32 by reducing initiation, prevalence, and intensity of smoking among young people; and

33 WHEREAS, The Surgeon General of the United States has found that
34 interventions should include statewide and municipal regulation of promotional
35 activities traditionally used by the tobacco industry that are especially appealing to
36 youth and young adults, including bans on cigarette advertising; and

1 WHEREAS, The Surgeon General of the United States has found that
2 interventions should include school-based, family-based, and community-based
3 programs that emphasize social influences, interactive delivery methods, and refusal
4 skills; and

5 WHEREAS, The Surgeon General of the United States has found that
6 interventions should include the establishment of smoke-free public and workplace
7 environments; and

8 WHEREAS, The Surgeon General of the United States has found that
9 interventions, including mass media campaigns, price increases, school-based policies
10 and programs, and statewide and community-level changes protecting people from
11 secondhand smoke and norms are effective in reducing the initiation and prevalence of
12 smoking among youth; now, therefore,

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That on or before November 1, 2014, the Department of Health and
15 Mental Hygiene shall report to the General Assembly, in accordance with § 2-1246 of
16 the State Government Article, on the funding necessary for Cigarette Restitution
17 Fund-eligible programs to implement the actions recommended in the 2012 United
18 States Department of Health and Human Services' Preventing Tobacco Use Among
19 Youth and Young Adults: A Report of the Surgeon General.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 June 1, 2014.