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HOUSE MEMORIAL 51

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

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A MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH'S NICOTINE USE PREVENTION AND CONTROL PROGRAM MEMBERS TO MAKE RECOMMENDATIONS TO THE LEGISLATURE TO PRIORITIZE AND INCREASE THE FUNDING FOR TOBACCO USE PREVENTION; REQUESTING THAT A TASK FORCE MAKE RECOMMENDATIONS ON THE EFFECT OF EXCISE TAXES ON THE SALE OF TOBACCO PRODUCTS.

WHEREAS, the United States surgeon general, the national cancer institute, the national toxicology program and the world health organization have all concluded that cigarettes and other tobacco products are addictive, harmful and deadly; and

WHEREAS, two thousand six hundred adults die in New Mexico each year from tobacco-related illnesses, and another seventy-eight thousand live with tobacco-related diseases, including heart disease, chronic obstructive pulmonary disease, diabetes

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1 and cancer; and

2 WHEREAS, twenty-five and six-tenths percent of New Mexico
3 high school youth use tobacco products; and

4 WHEREAS, e-cigarette use among youth in New Mexico is a
5 major public health concern as it can negatively affect brain
6 development, attention and cognition and increase the risk of
7 anxiety and depression; and

8 WHEREAS, the flavored smell, taste, packaging and large
9 amount of product placed in a single e-cigarette cartridge
10 increase the chances that youth will become addicted; and

11 WHEREAS, attorney general Raul Torrez reached a settlement
12 with e-cigarette company JUUL labs, incorporated for its
13 unlawful advertising practices that targeted New Mexico youth;
14 and

15 WHEREAS, in the settlement, JUUL agreed to pay New Mexico
16 seventeen million eighty-two thousand six hundred six dollars
17 ninety-eight cents (\$17,082,606.98) in compensation and abide
18 by comprehensive advertising regulations that prohibit
19 targeting youth; and

20 WHEREAS, JUUL is not the only e-cigarette company
21 operating in New Mexico, and other companies are still
22 marketing to youth here; and

23 WHEREAS, a successful method advocated by the United
24 States surgeon general to reduce youth and adult tobacco use is
25 to increase the price of cigarettes through excise taxes; and

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1 WHEREAS, the federal centers for disease control and
2 prevention found that after four years, an increase in excise
3 taxes in Massachusetts, combined with an anti-smoking campaign,
4 produced a nineteen and seven-tenths percent decline in
5 cigarette consumption per capita; and

6 WHEREAS, it is estimated that raising the cost of
7 cigarettes to ten dollars (\$10.00) per pack nationwide would
8 result in four million eight hundred thousand fewer smokers
9 between the ages of twelve and twenty-five; and

10 WHEREAS, the department of health's nicotine use
11 prevention and control program works with communities, schools
12 and organizations to provide information and services that
13 decrease the harmful and addictive use of tobacco; and

14 WHEREAS, the department of health's nicotine use
15 prevention and control program needs sufficient funds to
16 promote healthy lifestyles free from tobacco use among youth,
17 tribal and other vulnerable populations; and

18 WHEREAS, increases in tobacco product prices combined with
19 a well-funded, comprehensive tobacco prevention and cessation
20 program will have the most impact on reducing tobacco use,
21 especially among youth;

22 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
23 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the department
24 of health's nicotine use prevention and control program members
25 be requested to make recommendations to the legislature to

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1 prioritize and increase the funding for evidence-based tobacco
2 prevention programs to reduce tobacco-related illness and save
3 lives in New Mexico; and

4 BE IT FURTHER RESOLVED that the department of health and
5 the taxation and revenue department be requested to convene a
6 task force to study the effect of excise taxes on the sale of
7 tobacco products; and

8 BE IT FURTHER RESOLVED that copies of this memorial be
9 transmitted to the secretary of health, the secretary of
10 taxation and revenue and the governor.