

Bill No. SB 1270

Amendment No. \_\_\_\_

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
---------------	----------------	--------------

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

.  
.  
.  
.  
.

---

Senator Thomas moved the following amendment to amendment (141270):

**Senate Amendment (with title amendment)**

On page 4, between lines 29 and 30,

insert:

Section 3. The following guidelines shall be applied to the expenditure of all funds paid to the State of Florida as a result of litigation entitled The State of Florida et al. v. American Tobacco Company et al., Case #95-1466AH, in the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County:

(1) The Legislature asserts its rights to appropriate all funds awarded to the state through the tobacco settlement. Before any funds are released, the Legislature must approve all program and funding proposals.

(2) Funds received from the tobacco settlement should not be deposited in the General Revenue Fund. Instead, a trust fund should be created solely for the purpose of receiving and managing settlement funds, so that a full and complete record

Bill No. SB 1270

Amendment No. \_\_\_\_

1 of all budget and expenditure actions is maintained.

2 (3) Some portion of settlement funds received each  
3 year should be placed in escrow to create a long-term funding  
4 stream.

5 (4) Administrative costs associated with programs and  
6 providers that receive funds from the tobacco settlement  
7 should be set at a reasonable level, consistent with  
8 best-management practices.

9 (5) Funds should be spent on children's health  
10 services, as provided for in the settlement, and settlement  
11 funds may be used to match federal funds available under Title  
12 XXI.

13 (6) Local law enforcement agencies, businesses, and  
14 school districts should be involved in enforcement efforts as  
15 appropriate to the mission of each organization.

16 (7) Funds received from the tobacco settlement may not  
17 be used for advertising that includes the name, voice, or  
18 likeness of any elected or appointed public official.

19 (8) Greater emphasis should be placed on funding  
20 education, training, and enforcement programs, such as  
21 classroom programs, after-school programs, "tobacco-free"  
22 sports programs, peer mentoring programs, and museum, science,  
23 and discovery programs than is placed on the funding of  
24 advertising.

25 (9) Reimbursement should be provided to local  
26 governments that have borne costs of tobacco-related Medicaid  
27 patient care.

28 (10) Tobacco use should be treated as substance abuse  
29 for purposes of providing cessation and counseling programs.  
30 Youth and adult smoking cessation programs, with appropriate  
31 incentives, should be supported by tobacco funds.

Bill No. SB 1270

Amendment No. \_\_\_\_

1           (11) State funds may not be used to support a national  
2 or "global" settlement.

3           (12) County health departments must administer funds  
4 provided to each local coalitions that is not specifically  
5 granted an exemption by the Legislature. Exemptions from  
6 requirements to administer coalition programs by county health  
7 departments shall be limited to established administrative  
8 entities that meet a test of several criteria established by  
9 the Department of Health and may not include provider agencies  
10 that could receive funding from the settlement.

11           (13) Consideration should be given to providing  
12 additional funding for public and not-for-profit hospitals,  
13 clinics, and medical schools that treat patients with  
14 tobacco-related illnesses, and to investing in the Med  
15 Access/Medical Buy-In Program for uninsured or underinsured  
16 employees of small businesses.

17  
18 (Redesignate subsequent sections.)

19  
20

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

22 And the title is amended as follows:

23           On page 6, line 3, after the semicolon,

24

25 insert:

26           specifying guidelines to be applied by the  
27           Legislature in expending funds paid to the  
28           state as a result of the settlement of  
29           litigation involving the tobacco industry;  
30           providing that funds should be deposited into a  
31           trust fund rather than into the General Revenue

Bill No. SB 1270

Amendment No. \_\_\_\_

1 Fund; providing that funds should be spent on  
2 children's health services and on education,  
3 training, and enforcement programs; prohibiting  
4 the use of such funds to support a national  
5 settlement; requiring county health departments  
6 to administer certain funds unless granted an  
7 exemption;  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31