

Bill No. CS for SB 1270

Amendment No. ____

Senate

CHAMBER ACTION

House

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Senator Thomas moved the following amendment:

Senate Amendment (with title amendment)

On page 6, between lines 10 and 11,

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 of all budget and expenditure actions is maintained.

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

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

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

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

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

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

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

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

31 (11) State funds may not be used to support a national

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1 or "global" settlement.

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

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

16
17 (Redesignate subsequent sections.)

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19

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

21 And the title is amended as follows:

22 On page 1, line 21, after the semicolon,

23

24 insert:

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

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1 children's health services and on education,
2 training, and enforcement programs; prohibiting
3 the use of such funds to support a national
4 settlement; requiring county health departments
5 to administer certain funds unless granted an
6 exemption;
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