



General Assembly

January Session, 2023

Raised Bill No. 6730

LCO No. 3728



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING THE TOBACCO AND HEALTH TRUST FUND AND THE REQUIREMENT TO CHECK IDENTIFICATION PRIOR TO SELLING CIGARETTES OR TOBACCO PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4-28f of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) There is created a Tobacco and Health Trust Fund which shall be
4 a separate nonlapsing fund. The purpose of the trust fund shall be to
5 create a continuing significant source of funds to [(1)] support and
6 encourage development of programs to reduce tobacco [abuse] and
7 nicotine use through prevention, education and cessation programs [,
8 (2) support and encourage development of programs to reduce
9 substance abuse, and (3) develop and implement programs to meet the
10 unmet physical and mental health needs in the state] that use evidence-
11 based best practices regarding (1) state and community interventions,
12 (2) communication methods to disseminate health information to a wide
13 audience, (3) cessation interventions, (4) surveillance and evaluation,
14 and (5) infrastructure, administration and management. The trust fund

15 shall be used to support the reduction in use of all tobacco and nicotine
16 products, including, but not limited to, combustible, noncombustible,
17 electronic and synthetic tobacco and nicotine products.

18 (b) The trust fund may accept transfers from the Tobacco Settlement
19 Fund and may apply for and accept gifts, grants or donations from
20 public or private sources to enable the trust fund to carry out its
21 objectives.

22 (c) The trust fund shall be administered by a board of trustees, except
23 that the board shall suspend its operations from July 1, 2003, to June 30,
24 2005, inclusive. The board shall consist of seventeen trustees. The
25 appointment of the initial trustees shall be as follows: (1) The Governor
26 shall appoint four trustees, one of whom shall serve for a term of one
27 year from July 1, 2000, two of whom shall serve for a term of two years
28 from July 1, 2000, and one of whom shall serve for a term of three years
29 from July 1, 2000; (2) the speaker of the House of Representatives and
30 the president pro tempore of the Senate each shall appoint two trustees,
31 one of whom shall serve for a term of two years from July 1, 2000, and
32 one of whom shall serve for a term of three years from July 1, 2000; (3)
33 the majority leader of the House of Representatives and the majority
34 leader of the Senate each shall appoint two trustees, one of whom shall
35 serve for a term of one year from July 1, 2000, and one of whom shall
36 serve for a term of three years from July 1, 2000; (4) the minority leader
37 of the House of Representatives and the minority leader of the Senate
38 each shall appoint two trustees, one of whom shall serve for a term of
39 one year from July 1, 2000, and one of whom shall serve for a term of
40 two years from July 1, 2000; and (5) the Secretary of the Office of Policy
41 and Management, or the secretary's designee, shall serve as an ex-officio
42 voting member. Following the expiration of such initial terms,
43 subsequent trustees shall serve for a term of three years. The trustees
44 shall continue to serve until their successors are appointed or
45 designated. Any vacancy occurring other than by expiration of term
46 shall be filled in the same manner as the original appointment for the
47 balance of the unexpired term. The period of suspension of the board's
48 operations from July 1, 2003, to June 30, 2005, inclusive, shall not be

49 included in the term of any trustee serving on July 1, 2003. The trustees
50 shall serve without compensation except for reimbursement for
51 necessary expenses incurred in performing their duties. The board of
52 trustees shall establish rules of procedure for the conduct of its business
53 which shall include, but not be limited to, criteria, processes and
54 procedures to be used in selecting programs to receive money from the
55 trust fund. The trust fund shall be within the Office of Policy and
56 Management for administrative purposes only. The board of trustees
57 shall, not later than January first of each year, submit a report of its
58 activities and accomplishments to the joint standing committees of the
59 General Assembly having cognizance of matters relating to public
60 health and appropriations and the budgets of state agencies, in
61 accordance with section 11-4a.

62 (d) (1) For the fiscal year ending June 30, 2023, and each fiscal year
63 thereafter, the board of trustees, by majority vote, shall recommend
64 authorization of disbursement from the trust fund of the amount
65 deposited in the trust fund for the fiscal year pursuant to subsection (c)
66 of section 4-28e, for the purposes described in subsection (a) of this
67 section and section 19a-6d. The board's recommendations shall give [(i)]
68 (A) priority to [programs that address tobacco and substance abuse and
69 serve minors, pregnant women and parents of young children]
70 comprehensive tobacco and nicotine control programs for the
71 prevention of tobacco and nicotine product initiation among youth and
72 young adults, smoking cessation directed at adults and youth,
73 elimination of exposure to secondhand smoke and aerosol,
74 identification and elimination of tobacco and nicotine-related
75 disparities, and [(ii)] (B) consideration to the availability of private
76 matching funds. Recommended disbursements from the trust fund shall
77 be in addition to any resources that would otherwise be appropriated
78 by the state for such purposes and programs.

79 (2) The board of trustees shall submit such recommendations for the
80 authorization of disbursement from the trust fund to the joint standing
81 committees of the General Assembly having cognizance of matters
82 relating to public health and appropriations and the budgets of state

83 agencies. Not later than thirty days after receipt of such
84 recommendations, said committees shall advise the board of their
85 approval, modifications, if any, or rejection of the board's
86 recommendations. If said joint standing committees do not concur, the
87 speaker of the House of Representatives, the president pro tempore of
88 the Senate, the majority leader of the House of Representatives, the
89 majority leader of the Senate, the minority leader of the House of
90 Representatives and the minority leader of the Senate each shall appoint
91 one member from each of said joint standing committees to serve as a
92 committee on conference. The committee on conference shall submit its
93 report to both committees, which shall vote to accept or reject the report.
94 The report of the committee on conference may not be amended. If a
95 joint standing committee rejects the report of the committee on
96 conference, the board's recommendations shall be deemed approved. If
97 the joint standing committees accept the report of the committee on
98 conference, the joint standing committee having cognizance of matters
99 relating to appropriations and the budgets of state agencies shall advise
100 the board of said joint standing committees' approval or modifications,
101 if any, of the board's recommended disbursement. If said joint standing
102 committees do not act within thirty days after receipt of the board's
103 recommendations for the authorization of disbursement, such
104 recommendations shall be deemed approved. Disbursement from the
105 trust fund shall be in accordance with the board's recommendations as
106 approved or modified by said joint standing committees.

107 (3) After such recommendations for the authorization of
108 disbursement have been approved or modified pursuant to subdivision
109 (2) of this subsection, any modification in the amount of an authorized
110 disbursement in excess of fifty thousand dollars or ten per cent of the
111 authorized amount, whichever is less, shall be submitted to said joint
112 standing committees and approved, modified or rejected in accordance
113 with the procedure set forth in subdivision (2) of this subsection.
114 Notification of all disbursements from the trust fund made pursuant to
115 this section shall be sent to the joint standing committees of the General
116 Assembly having cognizance of matters relating to public health and

117 appropriations and the budgets of state agencies, through the Office of
118 Fiscal Analysis.

119 (4) The board of trustees shall submit a biennial report to the joint
120 standing committees of the General Assembly having cognizance of
121 matters relating to public health and appropriations and the budgets of
122 state agencies, in accordance with the provisions of section 11-4a. Such
123 report shall include, but need not be limited to, an accounting of the
124 unexpended amount in the trust fund, if any, all disbursements and
125 other expenditures from the trust fund and an evaluation of the
126 performance and impact of each program receiving funds from the trust
127 fund. Such report shall also include the measurable outcome and
128 evaluation criteria and application process used to select programs to
129 receive such funds.

130 Sec. 2. Subsection (d) of section 53-344 of the general statutes is
131 repealed and the following is substituted in lieu thereof (*Effective July 1,*
132 *2023*):

133 [(d) (1) A seller or seller's agent or employee shall request that each
134 person intending to purchase cigarettes or a tobacco product present a
135 driver's license or identity card to establish that such person is twenty-
136 one years of age or older.]

137 [(2)] (1) A seller or seller's agent or employee may perform a
138 transaction scan to check the validity of a driver's license or identity card
139 presented by a cardholder as a condition for selling, giving away or
140 otherwise distributing cigarettes or a tobacco product to the cardholder.

141 [(3)] (2) If the information deciphered by the transaction scan
142 performed under subdivision [(2)] (1) of this subsection fails to match
143 the information printed on the driver's license or identity card presented
144 by the cardholder, or if the transaction scan indicates that the
145 information so printed is false or fraudulent, neither the seller nor any
146 seller's agent or employee shall sell, give away or otherwise distribute
147 any cigarettes or a tobacco product to the cardholder.

148 [(4)] (3) Subdivision [(2)] (1) of this subsection does not preclude a
149 seller or seller's agent or employee from using a transaction scan device
150 to check the validity of a document other than a driver's license or an
151 identity card, if the document includes a bar code or magnetic strip that
152 may be scanned by the device, as a condition for selling, giving away or
153 otherwise distributing cigarettes or a tobacco product to the person
154 presenting the document.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	4-28f
Sec. 2	<i>July 1, 2023</i>	53-344(d)

Statement of Purpose:

To implement the Department of Public Health's recommendations regarding (1) the Tobacco and Health Trust Fund's purposes; and (2) the requirement for sellers to check the identification of the purchaser prior to selling cigarettes or tobacco products.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]