

Summary of SC S.894 to Fund Youth Smoking Prevention Efforts with State Tobacco Settlement Funds

The bill provides annual appropriations of the funds the State will receive under the Master Settlement Agreement to fund youth smoking prevention efforts. It establishes a grant program to be administered by the South Carolina Youth Smoking Prevention Commission to fund such prevention efforts, including anti-smoking media campaigns directed at youth, school and community based youth education and development programs, and increased retailer education and enforcement of youth access prevention laws.

Section 44-128-10 defines certain terms used in the bill.

Section 44-128-20 establishes the South Carolina Youth Smoking Prevention Commission ("Commission") to adopt a state plan for youth smoking prevention and award grants from the Youth Smoking Prevention Fund ("Fund"). It provides for the appointment of Commission members for two-year terms by the Governor and legislative leadership.

Section 44-128-30 provides the powers of the Commission.

Section 44-128-40 authorizes the Commission to employ an Executive Director of the Commission. It also provides that the Commission may employ additional staff.

Section 44-128-50 requires the Commission to create and administer the Fund, monies from which are available to finance Qualified Youth Smoking Prevention Programs. Monies in the fund are subject to annual appropriations.

Section 44-128-60 provides that the Commission shall develop a State Plan for Youth Smoking Prevention ("State Plan"). The State Plan, among other things, will set out the criteria for evaluating grant requests and identify the types of programs eligible for funding. Eligible programs must include, but are not limited to, media campaigns directed at youth, school-based education programs, community-based youth development programs, and retailer education and enforcement of youth access prevention laws. The section also mandates funding for an annual statewide school-based survey to measure cigarette use and behaviors towards cigarette use by students in grades 6-12. A minimum of 50% percent of the dollar value of grants awarded each year must be for school-based education and community-based development programs. The amount of funds that may be spent on the administrative costs of the Commission is capped at 5% percent.

Section 44-128-70 provides the procedures by which the Commission shall award grants. The section lists a series of nonbinding criteria that the Commission must also consider in making recommendations for each of the four types of programs specified in the bill.

Section 44-128-80 establishes the annual deadline for the award of grants by the Commission.

Section 44-128-90 requires the accounts and records of the Commission to be in the form prescribed by compliance the Comptroller General and to be audited annually by the Comptroller General. Copies of the annual audit must be distributed to the Governor and fiscal legislative leadership.

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Section 44-128-100 requires each grantee to agree to file a report with the Commission. Also requires the Commission to file with the Governor and legislative leaders to provide for ongoing monitoring and evaluation of the status of the fund.

Section 44-128-110 requires the exercise of powers under this chapter to be for the benefit of the states inhabitants and provides that the Commission is performing an essential government function.

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