

Tobacco Control Legislation Passed in 2012 - by State

ALABAMA

Tobacco Control Program Funding: Allocated \$275,000 for tobacco prevention and cessation programs in FY2013. FY2013 MSA Payment Annual Budget (H.B. 24, 1st special session 2012) enacted 5/24/12 and effective 10/1/12.

Tobacco Taxes: Establishes a tax on cigar wrappers as defined in Alabama. H.B. 277 enacted 5/15/12 and effective 8/1/12.

ALASKA

Tobacco Control Program Funding: Allocated \$10,873,300 for tobacco prevention and cessation programs in FY2013. FY2013 Annual Budget (H.B. 284) enacted 5/14/12 and effective 7/1/12.

Electronic Cigarettes: Prohibits the sale, exchange or gift of nicotine products to persons under age 19, and proscribes a penalty for violation. The definition of nicotine products includes e-cigarettes. H.B. 224 enacted 5/24/12 and effective 8/22/12.

ARIZONA

Tobacco Control Program Funding: Allocated \$15,200,000 for tobacco prevention and cessation programs in FY2013. FY2013 Appropriations (S.B. 1523) enacted 5/7/12 and effective 7/1/12.

Tobacco Paraphernalia/Minors: Prohibits the sale of or purchase/possession by minors of instruments or paraphernalia used to smoke or ingest tobacco or shisha, including hookahs and waterpipes. H.B. 2034 enacted 3/27/12 and effective 8/2/12.

Internet Sales of Tobacco Products: Prohibits the order or purchase of tobacco products, except cigars and pipe tobacco, by non face-to-face methods except to licensed distributors or retailers ordering or purchasing from licensed distributors. S.B. 1280 enacted 5/9/12 and effective 8/2/12.

ARKANSAS

Tobacco Control Program Funding: Allocated \$17,802,528 for tobacco prevention and cessation programs in FY2013. FY2013 Tobacco Prevention and Control Program Budget (H.B. 1104) enacted 3/2/12 and effective 7/1/12 and FY2013 Arkansas Tobacco Control Board - Youth Access Enforcement Budget (S.B. 82) enacted 2/29/12 and effective 7/1/12.

CALIFORNIA

Tobacco Control Program Funding: Appropriated \$62,095,000 for tobacco prevention and cessation programs in FY2013. FY2013 Annual Budget (A.B. 1464) enacted 6/27/12 and effective 7/1/12.

COLORADO

Tobacco Control Program Funding: Allocated \$22,567,704 for tobacco prevention and cessation programs in FY2012. FY2013 Annual Budget (H.B. 12-1335) enacted 5/7/12 and effective 7/1/12 & H.B. 12-1202 enacted and effective 3/1/12.

Tobacco Prevention Programs/Funding: Allows dollars from the tobacco tax revenue dedicated to the Tobacco Education Programs Fund to be transferred to another state department to obtain federal matching funds for the state tobacco quitline. H.B. 12-1202 enacted and effective 3/1/12.

Use of Tobacco Settlement Dollars: Makes some changes to how tobacco settlement payments are allocated in Colorado. H.B. 12-1247 enacted 3/22/12 and parts effective 3/22/12 & 7/1/12.

Use of Tobacco Settlement Dollars: Allocates a small portion of annual tobacco settlement payments to the state Auditor's Office. H.B. 12-1249 enacted and effective 3/24/12.

Use of Tobacco Settlement Payments: Changes the definition of disputed payments, which are Master Settlement Agreement payments being withheld by tobacco companies due to a provision in the Master Settlement Agreement. S.B. 114 enacted and effective 3/19/12.

CONNECTICUT

Tobacco Control Program Funding: Allocated \$5,997,000 for tobacco prevention and cessation programs in FY2013. S.B. 1239 enacted 5/4/11 and effective 7/1/11 (FY2012) and 7/1/12 (FY2013) & H.B. 5557 enacted 6/8/12 and effective 7/1/12; Allocation decision for FY2013 made by Tobacco and Health Trust Fund board.

DELAWARE

Tobacco Control Program Funding: Appropriated \$9,021,800 for tobacco prevention and cessation programs in FY2013. FY2013 Annual Budget (S.B. 260) enacted and effective 7/1/12.

DISTRICT OF COLUMBIA

Tobacco Control Program Funding: Appropriated \$495,000 for tobacco prevention and cessation programs in FY2013. FY2013 Budget Request Act (B19-742) passed by the City Council 5/15/12 and signed by mayor 6/15/12; HJR 117 passed by U.S. Congress 9/22/12, signed by President 9/29/12 and effective 10/1/12 to 3/27/13; HR 933 passed by U.S. Congress 3/21/13, signed by President 3/26/13 and effective 3/28/13.

FLORIDA

Tobacco Control Program Funding: Appropriated \$64,289,944 for tobacco prevention and cessation programs in FY2013. FY2013 Annual Budget (H.B. 5001) enacted 4/17/12 and effective 7/1/12.

Tobacco Taxes: Changes the way a portion of cigarette tax revenue is distributed now and in the future. H.B. 7087 enacted 3/28/12 and effective 7/1/12.

Cessation Coverage: Requires the state employees' prescription drug program to cover smoking cessation prescription drugs. Several barriers to coverage are specifically allowed as well. H.B. 5001 enacted 4/17/12 and effective 7/1/12.

GEORGIA

Tobacco Control Program Funding: Allocated \$700,000 for tobacco prevention and cessation programs in FY2013. FY2013 Annual Budget (H.B. 742) enacted 5/7/12 and effective 7/1/12.

Tobacco Taxes/Tobacco Product Licensing Requirements: Amends tobacco tax definitions and laws and changes tobacco product licensing requirements and fees, including requiring the license for dealers (retailers) be renewed annually. H.B. 1071 enacted 5/1/2012 and effective 1/1/2013.

HAWAII

Tobacco Control Program Funding: Allocated \$8,933,769 for tobacco prevention and cessation programs in 2012/2013. Allocation for calendar year 2012 from Hawaii Tobacco Prevention and Control Trust Fund & portion of other Master Settlement Agreement (MSA) funds allocated pursuant to HAW. REV. STAT. § 328L-2.

Use of Tobacco Settlement Dollars: Changes slightly the way Master Settlement Agreement dollars are allocated in future fiscal years. H.B. 239 enacted and effective 2/13/2012.

Fire Safety Standards for Cigarettes: Appropriates money to implement and enforce the law setting fire safety standards for cigarettes. H.B. 1968 enacted and effective 7/6/12.

IDAHO

Tobacco Control Program Funding: Allocated \$2,814,700 for tobacco prevention and cessation initiatives in FY2013.

FY2013 Millennium Income Fund Appropriations (S.B. 1408) enacted 4/5/12 and effective 7/1/12 & FY2013 Appropriation to Department of Health and Welfare (H.B. 657) enacted 4/3/12 and effective 7/1/12.

Electronic Cigarettes: Prohibits the sale/distribution of electronic cigarettes to minors and the purchase/possession of electronic cigarettes by minors. Applies other tobacco sales laws to e-cigarettes, and prohibits sales of electronic cigarettes to minors via the Internet, over the phone or through the mail.
H.B. 405 enacted 3/6/12 and effective 7/1/12.

Purchase of Tobacco Products: Prohibits public assistance benefit cards from being used to purchase cigarettes and tobacco products as defined.
H.B. 522 enacted 3/29/12 and effective 7/1/12.

ILLINOIS

Tobacco Control Program Funding: Appropriated \$11,100,000 for tobacco prevention and cessation programs in FY2013.
FY2013 Annual Budget (S.B. 2454) enacted 6/30/12 and effective 7/1/12.

Tobacco Taxes: Increases the cigarette tax by \$1.00 to \$1.98 per pack. Doubles the excise tax on other tobacco products to 36% of the wholesale price, but creates a separate tax on moist snuff of 30 cents per ounce. Dedicates additional revenue to the Healthcare Provider Relief Fund.
S.B. 2194 enacted 6/14/2012 and effective 6/24/12 and 1/1/2013.

Cigarette Rolling Machines: Places restrictions on operators of cigarette rolling machines, including requiring them to obtain a license for an annual fee, and pay the Illinois cigarette tax on cigarettes produced by the machines.
S.B. 2194 enacted and effective 6/14/2012.

Flavored Wrapping Paper/Leaf to Roll Tobacco: Prohibits the sale of wrapping paper and leaf used to roll tobacco or herbs that comes in certain specified flavors.
H.B.3801 enacted and effective 8/9/12.

INDIANA

Tobacco Control Program Funding: Allocated \$9,251,037 for tobacco prevention and cessation programs in FY2013. FY2012-FY2013 Biennial Budget (H.B. 1001) enacted 5/10/11 and effective 7/1/11 (FY2012) & 7/1/12 (FY2013).

Smokefree Air: Prohibits smoking in many public places and places of employment, including almost all restaurants. Continues to allow smoking in bars/taverns and casinos/gaming establishments. Stronger local ordinances are specifically allowed.
H.B. 1149 enacted 3/19/2012 and effective 7/1/2012.

IOWA

Tobacco Control Program Funding: Allocated \$3,653,830 for tobacco prevention and cessation programs in FY2013. FY2013 Appropriations for Health and Human Services (S.F. 2336) enacted 5/25/12 and effective 7/1/12.

Cigarette Rolling Machines: Makes certain requirements of persons who allow use of cigarette rolling machines to customers for commercial purposes.
S.F. 2328 enacted 5/2/12 and effective 7/1/12.

KANSAS

Tobacco Control Program Funding: Appropriated \$1,000,000 for tobacco prevention and cessation programs in FY2013.
FY2013 Annual Budget (S.B. 294) enacted 5/31/12 and effective 7/1/12.

Smokefree Air: Makes some small changes to language in the Kansas' smokefree law, including to sections of the law dealing with penalties and enforcement.
H.B. 2318 enacted 5/25/12 and effective 6/21/12.

Electronic Cigarettes: Prohibits the sale/distribution of and purchase/possession by minors of electronic cigarettes. Applies other tobacco sales laws to electronic cigarettes, and requires retailers of electronic cigarettes to obtain a license to sell them.
H.B. 2324 enacted 5/17/12 and effective 6/21/12.

KENTUCKY

Tobacco Control Program Funding: Appropriated \$2,134,200 for tobacco prevention and cessation programs in FY2012.
FY2013-FY2014 Biennial Budget (H.B. 265) enacted 4/11/12 and effective 7/1/12 (FY2013) and 7/1/13 (FY2014).

LOUISIANA

Tobacco Control Program Funding: Allocated \$7,170,101 for tobacco prevention and cessation programs in FY2013.
FY2013 Annual Budget (H.B. 1) enacted 6/14/12 and effective 7/1/12.

Tobacco Settlement: Establishes a \$500 fee for cigarette manufacturers to obtain certification in relation to the Master Settlement Agreement. The revenue will be used exclusively to enforce the settlement agreement.
H.B. 721 enacted 6/1/12 and effective 8/1/12.

Tobacco Product Licensing: Changes structure and requirements for obtaining licenses to sell or distribute tobacco products, and reduces the fee to obtain a tobacco product license at retail.
H.B. 1098 enacted 5/14/12 and effective 8/1/12.

Tobacco Product Sales: Prohibits retail permit holders from accepting Supplemental Nutrition Assistance Program electronic benefit transfer cards as payment for tobacco products.
S.B. 117 enacted 5/4/12 and effective 8/1/12.

MAINE

Tobacco Control Program Funding: Allocated \$7,561,535 for tobacco prevention and cessation programs in FY2012.
FY2012-FY2013 Biennial Budget (Pub. Law 2011, chap. 380/L.D. 1043) enacted 6/20/11 and effective 7/1/11 (FY2012) & 7/1/12 (FY2013); FY2012-FY2013 Biennial Budget Adjustments (Pub. Law 2011, chap. 655/L.D. 1903) enacted and effective 5/16/12 (FY2012) and 7/1/12 (FY2013); and FY2013 Budget Adjustments (Pub. Law 2011, chap. 657/L.D. 1746) enacted 5/16/12 and effective 7/1/12.

Cessation Coverage: Eliminates coverage under the state Medicaid program for smoking cessation medications.
Pub. Law 2011, chap. 65 (L.D. 1746) enacted 5/16/12 and effective 7/1/12.

Tobacco Product Licensing: Eliminates the requirement that tobacco retail licenses be displayed publicly.
Pub. Law, chap. 535 (L.D. 1695) enacted 3/19/12 and effective 8/30/12.

Use of Tobacco Settlement Dollars: Adds prevention, education and treatment of unhealthy weight and obesity to what tobacco settlement dollars in the Fund for a Healthy Maine can be used for.
Pub. Law, chap. 617 (L.D. 1855) enacted (became law without governor's signature) 5/30/12 and effective 8/30/12.

MARYLAND

Tobacco Control Program Funding: Allocated \$4,150,000 for tobacco prevention and cessation programs in FY2013.
FY2013 Annual Budget (S.B. 150) enacted (became law without the governor's signature) 4/9/12 and effective 7/1/12.

Tobacco Taxes: Increases the tax on most cigars to 70% and the tax on other tobacco products to 30% of the wholesale price. Leaves tax on premium cigars at 15% of the wholesale price.
S.B. 1302 (1st special session 2012) enacted 5/22/12 and effective 7/1/12.

Non Face-to-Face Sales of Tobacco Products: Exempts premium cigars and pipe tobacco sold or shipped by licensed other tobacco product retailers or tobacconists from the law prohibiting non face-to-face sales of tobacco products. Orders a report by the Comptroller on the viability and efficacy of direct shipment of premium cigars and pipe tobacco to consumers in Maryland as specified.
H.B. 570/S.B. 452 enacted 5/22/12 and effective 6/1/12.

MASSACHUSETTS

Tobacco Control Program Funding: Allocated \$4,151,958 for tobacco prevention and cessation programs in FY2013.
FY2013 Annual Budget (H.B. 4200) enacted and effective 7/8/12.

Tobacco Product Sales: Prohibits persons from using or accepting direct cash assistance held on electronic benefit transfer cards or access devices for the purchase of tobacco products as defined.
H.B. 4200, sect. 53 enacted and effective 7/8/12.

MICHIGAN

Tobacco Control Program Funding: Allocated \$1,833,935 for tobacco prevention and cessation programs in FY2013. FY2013 Annual Budget (H.B. 5395) enacted 6/26/12 and effective 10/1/12.

Tobacco Taxes: Places a 50-cent cap on the tax on cigars as defined. S.B. 1004 enacted 10/9/12 and effective 11/1/12.

Roll-Your-Own Cigarette Machines: Adds persons who operate or allow operation of roll-your-own cigarette machines to the definition of manufacturers of tobacco products, which requires them to obtain a license and follow other specified requirements. S.B. 930 enacted and effective 6/20/12.

Tobacco Tax Stamps: Requires use of digital tobacco tax stamps that contain a unique nonrepeating code as specified. S.B. 930 enacted and effective 6/20/12.

MINNESOTA

Tobacco Control Program Funding: Allocated \$19,600,000 for tobacco prevention and cessation programs in FY2013. FY2012-FY2013 Biennial Health and Human Services Budget (H.F. 25, 1st special session 2011) enacted and effective 7/20/11 (FY2012) & 7/1/12 (FY2013); FY2012-FY2013 Biennial Health and Human Services Appropriations Adjustments (H.F. 2294) enacted 4/28/12 and effective 4/28/12 (FY2012) & 7/1/12 (FY2013); and FY2013 ClearWay Minnesota Operating Budget.

Tobacco Product Sales: Amends law concerning use of electronic benefits transfer cards in relation to purchasing tobacco products. H.F. 2294, sect. 5-9 enacted 4/28/12 and effective 6/1/12, 7/1/12 & 3/1/13.

MISSISSIPPI

Tobacco Control Program Funding: Appropriated \$11,200,000 for tobacco prevention and cessation programs in FY2013. FY2013 Department of Health Appropriations (H.B. 1613) enacted 5/22/12 and effective 7/1/12.

Youth Access Laws: Allows up to 3 hours of community service as a penalty for a minor that possesses tobacco products. S.B. 2798 enacted 5/22/12 and effective 7/1/12.

Use of Tobacco Settlement Dollars: Transfers an additional \$97 million from the Health Care Trust Fund to the Health Care Expendable Fund in FY2013. The source of money for both funds is tobacco settlement dollars. S.B. 2899, sect 2. enacted 5/22/12 and effective 7/1/12.

MISSOURI

Tobacco Control Program Funding: Appropriated \$61,785 for tobacco prevention and cessation initiatives in FY2013. FY2013 Department of Health and Senior Services Budget (H.B. 2010) enacted 6/21/12 and effective 7/1/12.

MONTANA

Tobacco Control Program Funding: Allocated \$4,600,000 to tobacco prevention and cessation programs in FY2013. FY2012-FY2013 Biennial Budget (H.B. 2) enacted 5/12/11 and effective 7/1/11 (FY2012) & 7/1/12

NEBRASKA

Tobacco Control Program Funding: Allocated \$2,379,000 for tobacco prevention and cessation programs in FY2013. FY2012-FY2013 Biennial Budget Adjustments (L.D. 968) enacted and effective 4/2/12 (FY2012) & 7/1/12 (FY2013).

Tobacco Settlement: Makes some changes to the way money is distributed from the Health Care Cash Fund, where most of the Master Settlement Agreement dollars are ultimately transferred to. L.B. 969 enacted 4/2/12 and effective 7/1/12.

Tobacco Use/Harm Reduction: Legislative resolution that recognizes the importance of tobacco harm reduction strategies as an additional policy choice to help smokers quit. L.R. 499 adopted by legislature 3/27/12.

NEVADA

Tobacco Control Program Funding: Allocated \$150,000 for tobacco prevention and cessation initiatives in FY2013. FY2012-FY2013 Biennial Budget (A.B. 580) enacted 6/14/11 and effective 7/1/11 (FY2012) & 7/1/12 (FY2013)

NEW HAMPSHIRE

Tobacco Control Program Funding: Appropriated no state money for tobacco prevention and cessation programs in FY2013.

FY2012-FY2013 Biennial Budget (H.B. 1) enacted (became law without governor's signature) 6/29/11 and effective 7/1/11 (FY2012) & 7/1/12 (FY2013).

NEW JERSEY

Tobacco Control Program Funding: Allocated no state dollars for tobacco prevention and cessation programs in FY2013. FY2013 Annual Budget (S.B. 2013) enacted 6/29/12 and effective 7/1/12.

NEW MEXICO

Tobacco Control Program Funding: Appropriated \$5,931,300 for tobacco prevention and cessation programs in FY2013.

FY2013 Annual Budget (H.B. 2) enacted 3/2/12 and effective 7/1/12.

Use of Tobacco Settlement Dollars: Appropriates \$1 million from the Tobacco Settlement Program Fund to the University of New Mexico Health Sciences Center for lung biology research as specified in FY2013.

H.B. 315 enacted and effective 3/7/12.

NEW YORK

Tobacco Control Program Funding: Allocated \$41,400,000 for tobacco prevention and cessation programs in FY2013. FY2013 State Operations Budget (A.B. 9050) enacted and effective 4/11/12.

Smokefree Air Outdoors: Prohibits smoking within 100 feet of the entrances, exits or outdoor areas of any public or private elementary or secondary schools.

A.B. 10141 enacted and effective 9/5/12.

Electronic Cigarettes/Sales Restrictions: Prohibits the sale of electronic cigarettes to persons under age 18, and applies other state tobacco sales laws to electronic cigarettes.

A.B. 9044 enacted 9/5/12 and effective 1/1/13.

NORTH CAROLINA

Tobacco Control Program Funding: Allocated zero state dollars for tobacco prevention and cessation programs in FY2013.

FY2012-FY2013 Biennial Budget (H.B. 200) enacted (by veto override) 6/15/11 and effective 7/1/11 (FY2012) and 7/1/12 (FY2013) & FY2012-FY2013 Biennial Budget Adjustments (H.B. 950) enacted (by veto override) and effective 7/2/12.

NORTH DAKOTA

Tobacco Control Program Funding: Appropriated \$8,216,554 for tobacco prevention and cessation programs in FY2013.

FY2012-FY2013 Biennial Department of Health Budget (H.B. 1004) enacted 5/5/11 and effective 7/1/11 (FY2012) & 7/1/12 (FY2013); and FY2012-FY2013 Biennial Appropriation for the Tobacco Control Advisory Committee (H.B. 1025) enacted 5/5/11 and effective 7/1/11 (FY2012) & 7/1/12 (FY2013).

Smokefree Air: Prohibits smoking in virtually all public places and workplaces, including restaurants, bars and gaming/gambling establishments.

Measure 4 qualified for ballot 9/10/2012, approved by voters 11/6/2012 and effective 12/6/2012.

OHIO

Tobacco Control Program Funding: Appropriated no state dollars for tobacco prevention and cessation programs in

FY2013.

FY2012-FY2013 Biennial Budget (H.B. 153) enacted 6/30/11 and effective 7/1/11 (FY2012) & 7/1/12 (FY2013).

OKLAHOMA

Tobacco Control Program Funding: Allocated \$19,903,885 for tobacco prevention and cessation programs in FY2013. FY2013 General Appropriations Bill (S.B. 1975, sect. 78) enacted 5/29/12 and effective 7/1/12 & interest generated by the Tobacco Settlement Endowment Trust Fund and certified for use in FY2013.

Tobacco Use/State Government Property: Prohibits the use of tobacco products on all state government property controlled by the executive branch, including all buildings, vehicles and land. Exec. Order 2012-1 signed 2/6/12 and in effect by 8/2/12.

Roll-Your-Own Cigarette Machines: Prohibits the use of roll-your-own cigarette machines for commercial purposes, unless a person has obtained a federal manufacturer's license. Use of machines in places other than retail businesses for individual purposes is still allowed.

H.B. 2710 enacted 5/8/12 and effective 7/1/12.

Smoking Restrictions: Allows commercial airport operators to prohibit smoking in indoor or outdoor areas used by the public as long as the outdoor area is within a specified distance from an entrance.

S.B. 1686 enacted 4/9/12 and effective 11/1/12.

Use of Tobacco Settlement Dollars: Changes the way a portion of Oklahoma's annual MSA payment is allocated.

S.B. 1971 enacted 6/8/12 and effective 7/1/12.

OREGON

Tobacco Control Program Funding: Allocated \$7,534,500 for tobacco prevention and cessation programs in FY2013. FY2012-FY2013 Department of Human Services Biennial Budget (H.B. 5030) enacted and effective 7/6/11 (FY2012) & 7/1/12 (FY2013) & S.B. 1579, sect. 31 enacted and effective 4/11/12.

Tobacco Control Program Funding: Transfers \$1.5 million from the Tobacco Use Reduction Account to the state general fund.

S.B. 1579, sect. 31 enacted and effective 4/11/12.

Tobacco Use/State Government Property: Prohibits tobacco use by state employees in and on grounds adjacent to state agency buildings and smoking by individuals on the adjacent grounds. Exceptions include, the campuses of the Oregon University system and community colleges, and state agency grounds used primarily for enjoyment of the public such as beaches.

Exec. Order 2012-13 signed 8/2/12 and parts effective 1/1/13, 7/1/13 and by 12/31/14.

Youth Access Laws/Enforcement: Establishes the State Police Tobacco Law Enforcement fund to accept money to enforce youth access laws. Retired state police officers employed by the Dept. of State Police would be used in the enforcement.

H.B. 4172 enacted and effective 3/16/12.

PENNSYLVANIA

Tobacco Control Program Funding: Allocated \$14,221,000 for tobacco prevention and cessation programs in FY2013. FY2013 Allocation based on Public Law 755, Number 77 (Tobacco Settlement Act of 2001) § 306(b)(1)(iii) & S.B. 1263 sect. 1715-G enacted and effective 7/2/12.

Use of Settlement Dollars/Tobacco Control Program Funding: Redirected some of the annual Master Settlement Agreement monies from specific programs to the Tobacco Settlement Fund, including 62.5 percent of the money supposed to go to tobacco control programs in FY2013. Directed strategic contribution payments received in FY2012 to the Tobacco Settlement Fund.

S.B. 1263 sect. 1715-G enacted and effective 7/2/12.

RHODE ISLAND

Tobacco Control Program Funding: Allocated \$376,437 for tobacco prevention and cessation programs in FY2013. FY2013 Annual Budget (H.B. 7323) enacted 6/15/12 and effective 7/1/12.

Tobacco Taxes: Increases the cigarette tax by 4 cents to \$3.50 per pack. Changes the definition of little cigar for tax purposes.

H.B. 7323 enacted 6/15/2012 and effective 7/1/2012.

Sales/Distribution of Tobacco Products: Requires dealers (retailers), distributors and importers of tobacco products other than cigarettes to obtain a license, and follow applicable requirements.

H.B. 7323 enacted 6/15/2012 and effective 7/1/2012.

SOUTH CAROLINA

Tobacco Control Program Funding: Appropriated \$5,000,000 for tobacco prevention and cessation programs in FY2013.

FY2013 Annual Budget (H.B. 4813) enacted (some line-item vetoes overridden) and effective 7/18/12.

Tobacco Use/State Employee Health Plans: In FY2013, the state Budget and Control Board is authorized to impose a surcharge on enrollee rates for tobacco use. The surcharge cannot exceed \$40 per month for a subscriber or \$60 per month for a subscriber and dependents.

H.B. 4813, sect. 80A.29 enacted and effective 7/5/12.

Smokefree Air: If approved by the governing board of the institution of higher learning, smoking is prohibited in buildings or parts thereof and outside areas immediately contiguous to those buildings.

H.B. 4092 enacted and effective 6/7/12.

SOUTH DAKOTA

Tobacco Control Program Funding: Appropriated \$3,999,830 for tobacco prevention and cessation programs in FY2013.

FY2013 Annual Budget (S.B. 197) enacted 3/16/12 and effective 7/1/12.

Roll Your Own Cigarette Machines: Requires any person that maintains or provides a machine at a retail establishment that enables a consumer to process tobacco into a roll or tube to be a manufacturer of cigarettes. Requires them to comply with provisions in state law regarding cigarette taxes, the Master Settlement Agreement and by January 1, 2014 fire safety requirements for cigarettes.

H.B. 1138 enacted 3/12/12 and effective 7/1/12.

Tobacco Taxes: Transfers \$1 million from the Tobacco Prevention and Reduction Trust Fund, which funds the state tobacco prevention/cessation program to the state general fund. Transfers all money in several other funds receiving tobacco tax money to the general fund as well.

S.B. 197, sect. 33-35, enacted 3/16/12 and effective 7/1/12.

Fire Safety Standards for Cigarettes: Revises/clarifies the permissible uses of the Fire Safety Standard Act fund to include fire prevention activities and education.

S.B. 50 enacted 2/23/12 and effective 7/1/12.

TENNESSEE

Tobacco Control Program Funding: Allocated \$222,267 for tobacco prevention and cessation programs in FY2013. FY2013 Annual Budget (H.B. 3835) enacted 5/15/12 and effective 7/1/12.

Roll Your Own Cigarette Machines: Requires cigarette rolling machine operators to obtain a license and follow specific requirements related to paying cigarette and tobacco taxes, what loose tobacco is allowed to be used in a cigarette rolling machine and counting the number of cigarettes produced by the machine.

S.B. 1738 enacted 5/21/12 and parts effective 7/1/12 and 10/1/13.

Tobacco Settlement: Adds additional enforcement provisions related to non-participating manufacturers to state law that helps enforce the Master Settlement Agreement.

H.B. 3632 enacted and effective 4/4/12.

TEXAS

Tobacco Control Program Funding: Allocated \$6,450,294 for tobacco prevention and cessation programs in FY2013. FY2012-FY2013 Biennial Budget (H.B. 1) enacted 6/17/11 and effective 9/1/11 (FY2012) & 9/1/12

UTAH

Tobacco Control Program Funding: Allocated \$7,037,400 for tobacco prevention and cessation programs in FY2013. FY2013 Social Services Budget (S.B. 8) enacted 2/13/12 and effective 7/1/12.

Licensing/Retail Tobacco Businesses: Requires retail tobacco businesses to be licensed in the county or city they operate in, and places restrictions on the location of such businesses. Exempts businesses that had a license and were operating lawfully on or before May 8, 2012.

H.B. 95 enacted 3/19/12 and effective 5/8/12.

Smokefree Air: Expands the definition of smoking in the state smokefree workplace law to cover hookah smoking and electronic cigarettes, but allows smoking in hookah bars/establishments and retailers of e-cigarettes if they meet and follow certain specified requirements.

H.B. 245 enacted 3/19/12 and effective 5/8/12.

Tobacco Taxes: Changes the way cigarette tax revenue in the Cigarette Tax Restricted Account is distributed annually. S.B. 62 enacted 3/22/12 and effective 5/8/12 (has retrospective operation to 7/1/11).

Use of Tobacco Settlement Dollars: Adds several items to be funded out of the Tobacco Settlement Restricted Account, and makes those items first in the order to receive dollars from the account.

S.B. 106 enacted 3/15/12 and effective 7/1/12.

VERMONT

Tobacco Control Program Funding: Appropriated \$3,971,713 for tobacco prevention and cessation programs in FY2013.

FY2013 Annual Budget (H.B. 781) enacted 5/17/12 and effective 7/1/12.

Use of Tobacco Settlement Dollars: Unspent money in the Tobacco Litigation Settlement Fund at the end of FY2012 will not be transferred to the Tobacco Trust Fund as specified under current state law. Investment earnings from the Tobacco Trust Fund and any money necessary to ensure the balance in the Settlement Fund will not be negative at the end of FY2013 will also be transferred to the Settlement Fund.

H.B. 781 §§ D.104 & D.105 enacted 5/17/12 and effective 5/17/12 and 7/1/12.

Use of Tobacco Settlement Dollars: To the extent that Master Settlement Agreement funds received by Vermont exceed \$31 million in FY2012, up to \$500,000 is appropriated to the Tobacco Evaluation and Review Board in FY2013.

H.B. 781 § D.106 enacted 5/17/12 and effective 7/1/12.

Tobacco Taxes: Changes the way cigarette tax revenue is distributed by directing all revenue to the Health Care Resources Fund.

H.B. 558, sect. 109 & 110 enacted 3/7/12 and effective 7/1/12.

Roll-Your-Own Cigarette Machines: Completely prohibits the use of roll-your-own cigarette machines for commercial purposes.

H.B. 747, sec. 6 enacted and effective 5/16/12.

Electronic Cigarettes/Youth Access Laws: Prohibits the sale of tobacco substitutes, which as defined includes e-cigarettes and related products, to minors. Applies several other tobacco sales/youth access laws to them.

H.B. 747 sects. 1-3 enacted and effective 5/16/12.

Little Cigars: Changes the definition of little cigar for tax purposes, making all little cigars weighing under 4 1/2 lbs./thousand subject to a tax equal to the cigarette tax. Also, requires little cigars weighing under 3 lbs./thousand to be sold in packs of 20.

VIRGINIA

Tobacco Control Program Funding: Allocated \$8,371,777 for tobacco prevention and cessation programs in FY2013. FY2013-FY2014 Biennial Budget (H.B. 1301) enacted 6/11/12 and effective 7/1/12 (FY2013) & 7/1/13 (FY2014).

Use of Tobacco Settlement Dollars: Transfers an additional 1.5 percent of tobacco settlement dollars over the existing 40 percent allocation to the Virginia Health Care Fund reducing the allocation to the Tobacco Settlement Fund to 8.5 percent in FY2013 and FY2014. Also, deposits 50 percent of the Master Settlement Agreement strategic contribution payment over the next two years into the Virginia Health Care Fund.
H.B. 1301 enacted 6/11/12 and effective 7/1/12 (FY2013) and 7/1/13 (FY2014).

Roll Your Own Cigarette Machines: Designates persons who allow use of roll-your-own cigarette machines by consumers as manufacturers of cigarettes, which requires them to pay taxes on the products from the machines and follow other specified requirements. Exempts roll-your-own cigarette machines for personal use only.
H.B. 314/S.B. 74 enacted 3/1/12 and effective 7/1/12.

Cigarette Tax Stamps: Requires local tax stamps or meter impressions used to evidence payment of local cigarette taxes to use the same technology as state cigarette tax stamps.
H.B. 277/S.B. 394 enacted 3/6/12 & 3/13/12 and effective 1/1/13.

Fire Safety Standards for Cigarettes: Eliminates an exemption that allowed wholesalers and retailers to sell cigarettes that were stamped prior to January 1, 2010 and did not meet the fire safety requirements.
H.B. 1088/S.B. 307 enacted 3/1/12 & 3/8/12 and effective 7/1/12.

Tobacco Taxes: Sets a limit for how many cartons of tax paid cigarettes a person can possess, and establishes criminal and civil penalties for violation. Exempts authorized holders as defined from this possession limit.
H.B. 479/S.B. 347 enacted 3/23/12 & 3/30/12 and effective 7/1/12.

Use of Tobacco Settlement Dollars: Allows Master Settlement Agreement dollars dedicated to the Tobacco Indemnification and Community Revitalization Fund to be used for scientific research to advance the treatment and advancement of cancer that directly impact tobacco-dependent communities at Virginia research institutes.
H.B. 1182 enacted 4/5/12 and effective 7/1/12.

WASHINGTON

Tobacco Control Program Funding: Allocated \$2,485,000 for tobacco prevention and cessation initiatives in FY2013. FY2012-FY2013 Biennial Budget Adjustments (H.B. 2127, 2nd special session 2012) enacted and effective 5/25/12 (FY2012) & 7/1/12 (FY2013).

Roll-Your-Own Cigarette Machines: Places restrictions on use of commercial roll-your-own cigarette machines, including requiring the retailer who allows use of machines to be licensed and provisions to ensure the tax on cigarettes from the machines is paid.
H.B. 2565 enacted 5/2/12 and effective 7/1/12.

WEST VIRGINIA

Tobacco Control Program Funding: Appropriated \$5,650,000 for tobacco prevention and cessation programs in FY2013. FY2013 Annual Budget (S.B. 160) enacted 3/21/12 and effective 7/1/12.

WISCONSIN

Tobacco Control Program Funding: Allocated \$5,315,000 for tobacco prevention and cessation programs in FY2013. FY2012-FY2013 Biennial Budget (A.B. 40) enacted 6/26/11 and effective 7/1/11 (FY2012) & 7/1/12 (FY2013).

Electronic Cigarettes: Prohibits the sale and purchase/possession of nicotine products, the definition of which includes e-cigarettes to persons under age 18.
A.B. 93 enacted 4/6/12 and effective 4/19/12.

WYOMING

Tobacco Control Program Funding: Allocated \$5,400,000 for tobacco prevention and cessation programs in FY2013. FY2013-FY2014 Biennial Appropriations (S.B. 1) enacted 3/8/12 and effective 7/1/12 (FY2013) & 7/1/13 (FY2014).

Roll-Your-Own Cigarette Machines: Defines retail establishments that allow use of roll-your-own cigarette machines as tobacco product manufacturers, which subjects them to a number of requirements and regulations. S.B. 83 enacted 3/9/12 and effective 7/1/12.