

BILL ANALYSIS

Senate Research Center
76R8189 DLF-D

S.B. 1291
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Human Services
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As Filed

DIGEST

Currently, tobacco use results in the death of more than 26,000 Texans every year. Texas will receive \$17.3 billion over the next 25 years from the tobacco industry as compensation from a suit based on violation of anti-trust, consumer protection, fraud, conspiracy, and racketeering laws. Long-term programs to prevent and reduce tobacco use in other states appear successful, and if similar tobacco use declines are achieved in Texas, we can expect to have 750,000 fewer adult smokers after four years. Implementation and continuation of such a program is critical to the prevention of future premature death, disability and economic costs to Texas. S.B. 1291 expands the scope of the Texas Department of Health's efforts to prevent tobacco use.

PURPOSE

As proposed, S.B. 1291 expands the scope of Texas Department of Health efforts to prevent tobacco use.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 161O, Health and Safety Code, as follows:

New title: SUBCHAPTER O. PREVENTION OF TOBACCO USE

Sec. 161.301. DEFINITION. Defines "program."

Sec. 161.302. TEXAS TOBACCO CONTROL PROGRAM. Requires the Texas Department of Health (department) to implement a tobacco control program (program) and sets forth goals of the program. Requires the department to coordinate the program and provide necessary assistance to implement the program throughout the state.

Sec. 161.303. PROGRAM COMPONENTS. Sets forth program requirements.

Sec. 161.304. AT-RISK POPULATIONS. Requires the program to include components and elements which target at-risk populations.

Sec. 161.305. TOBACCO USE PUBLIC AWARENESS CAMPAIGN; MEDIA RESOURCE CENTER. Requires the department, rather than the commissioner, to develop a campaign to reduce Texans' tobacco use. Requires the department to establish a media resource center to provide services for community programs. Deletes a specification that the campaign be targeted to minors.

Sec. 161.306. IMPLEMENTATION THROUGH CONTRACTS. Authorizes the department, rather than the commissioner, to contract for certain services. Requires the awarding of a contract under this subchapter to be based on competitive bids. Sets forth provisions for a request for proposal. Limits a contract awarded to implement the public awareness campaign described by Section 161.305, Health and Safety Code, rather than under Subsection (b), to a business with a proven advertising and public relations campaign background. Prohibits the department from awarding a contract to certain entities. Prohibits eligibility for participation in a certain program from certain entities. Makes conforming changes.

Sec. 161.307. GRANTS FOR COMMUNITIES. Requires the department to implement a competitive grant program designed to reduce the use of tobacco products, and authorizes local government units, community-based organizations, and schools to receive a grant. Requires the department to solicit grant proposals, and sets forth provisions regarding grant proposals.

Sec. 161.308. New heading; GRANTS. Redesignated from existing Section 161.302, Health and Safety Code. Requires the department, rather than a certain entity, to implement a competitive grant program.

Sec. 161.309. OUTCOME-BASED EVALUATION OF PROGRAM COMPONENTS; EVALUATION OF PROGRAM. Requires the department to evaluate program effectiveness, and sets forth evaluation requirements.

Sec. 161.310. EVALUATION OF PROGRAM; REPORT. Requires the department to use certain data to evaluate program effectiveness. Requires the department to report evaluation results to certain authorities by January 15 of each odd numbered year.

SECTION 2. Emergency clause.
Effective date: upon passage.