



## Tobacco Control Legislation Passed During 2006 – by State

Below is a list and short description of state tobacco control legislation that was passed during 2006 in each state. The list primarily covers the areas of state tobacco control law that are tracked in the American Lung Association's State Legislated Actions on Tobacco Issues (SLATI), available online at <http://slati.lungusa.org>.

### ALABAMA

**Settlement/Tobacco Prevention Spending:** Allocated \$682,440 for tobacco control and prevention programs. [FY2007 MSA Payment Annual Budget \(S.B. 101\) enacted 4/14/06 and effective 10/1/06.](#)

**Tobacco Liability:** Places a cap on the appeal bond required to appeal a lawsuit judgment against MSA signatories of \$125 million, regardless of the amount of the judgment. Also provides an exception for intentional dissipation of assets. [H.B. 220 enacted and effective 2/24/06.](#)

**Internet Sales:** Places restrictions on sales/delivery of cigarettes ordered by phone, fax or over the Internet. [H.B. 781 enacted and effective 4/26/06.](#)

### ALASKA

**Settlement/Tobacco Prevention Spending:** Appropriated \$6,207,429 for tobacco control and prevention programs. [FY2007 Annual Budget \(H.B. 365\) enacted 5/22/06 and effective 7/1/06.](#)

### ARIZONA

**Settlement/Tobacco Prevention Spending:** Appropriated \$25,500,000 for tobacco control and prevention programs. Appropriation for FY2007 based on 1994 and 2006 ballot initiatives, effective 7/1/06.

**Smokefree Air:** On November 7, voters approved Proposition 201, a ballot initiative that will prohibit smoking in almost all public places and workplaces, including all restaurants and bars statewide. [Prop. 201 passed by voters 11/7/06 and effective 5/1/07.](#)

**Tobacco Tax:** Proposition 201 also increased the cigarette tax by \$0.02 per pack to help fund enforcement of the new smokefree air law. [Prop. 201 passed by voters 11/7/06 and effective 12/4/06.](#)

**Tobacco Tax:** Another ballot initiative that was approved by voters on November 7, Proposition 203, increased the cigarette tax by an additional \$0.80 per pack to fund early childhood education programs. [Prop. 203 passed by voters 11/7/06 and effective 12/4/06.](#)

**Tobacco Product Licensing:** Amends state tobacco product licensing laws by changing the requirements for getting a distributors license. [S.B. 1066 enacted 5/16/06 and effective 9/30/06.](#)

### ARKANSAS

**Settlement/Tobacco Prevention Spending:** Appropriated \$15,423,953 for tobacco control and prevention programs in FY2007.

[FY 2006-FY2007 Tobacco Prevention and Control Program Biennial Budget \(H.B. 2090\) enacted 4/15/05 and effective 7/1/05 \(FY2006\) & 7/1/06 \(FY2007\); FY2006-FY2007 Tobacco Settlement Commission Biennial Budget \(H.B. 1163\) enacted 3/3/05 and effective 7/1/05 \(FY2006\) & 7/1/06 \(FY2007\); and Arkansas Tobacco Control Board Biennial Budget \(H.B. 1123\) enacted 4/14/05 and effective 7/1/05 \(FY2006\) and effective 7/1/05 \(FY2006\) & 7/1/06 \(FY2007\).](#)

**Smokefree Air:** Prohibits smoking in most public places and workplaces in Arkansas. The law stipulates several exemptions, including restaurants and bars that do not allow people under 21 to enter at any time, and non-public workplaces with three or fewer employees. [S.B. 19 \(1<sup>st</sup> special session 2006\) enacted 4/7/06 and effective 7/21/06.](#)

**Smoking in Cars:** Prohibits smoking in all motor vehicles where a child who is under six years old and weighs less than 60 pounds is restrained in a child passenger safety seat.

[H.B. 1046 \(1<sup>st</sup> special session 2006\) enacted 4/10/06 and effective 7/21/06.](#)

**Settlement/Securitization:** Designates the Arkansas Cancer Research Center as a capital improvement project that can be financed using tobacco settlement revenue bonds, and authorizes tobacco settlement revenue to be authorized for this project subject to certain conditions.

[H.B. 1021 \(1<sup>st</sup> special session 2006\) enacted and effective 4/7/06.](#)

## **CALIFORNIA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$83,597,140 for tobacco control and prevention programs.

[FY2007 Annual Budget \(A.B. 1801\) enacted 6/30/06 and effective 7/1/06.](#)

**Smokefree Air:** Prohibits smoking in lobbies, lounges, waiting areas, elevators, stairwells, and restrooms that are part of an enclosed space in a place of employment or of a covered parking lot or a building to which it is attached in a public building.

[A.B. 2067 enacted 9/29/06 and effective 1/1/07.](#)

**Youth Access/Tobacco Product Licensing:** Requires manufacturers and importers of tobacco products to get licensed, and prohibits the sale of blunt wraps by self-service display and to minors.

[A.B. 1749 enacted 9/27/06 and effective 1/1/07 and 5/1/07.](#)

**Settlement/Securitization:** Puts any proceeds from the sale of the residual interests in the Master Settlement Agreement into a special fund where it can be transferred to the Surplus Money Investment Fund or the General Fund.

[S.B. 1141 enacted 9/29/06 and effective 1/1/07.](#)

## **COLORADO**

**Settlement/Tobacco Prevention Spending:** Allocated \$25,000,000 for tobacco control and prevention programs.

[FY2007 Annual Budget \(H.B. 06-1385\) enacted 5/1/06 and effective 7/1/06.](#)

**Smokefree Air:** Prohibits smoking in most public places and workplaces, including all restaurants and bars. The law contains several exemptions, including workplaces where the public is not allowed with three or fewer employees, cigar bars and casinos.

[H.B. 06-1175 enacted 3/27/06 and effective 7/1/06.](#)

**Settlement:** Makes changes to the way MSA money is allocated.

[H.B. 06-1310 enacted and effective 5/25/06.](#)

## **CONNECTICUT**

**Settlement/Tobacco Prevention Spending:** Appropriated \$2,000,000 for tobacco control and prevention programs in FY2007.

[S.B. 317 enacted 6/7/06 and effective 7/1/06.](#)

## **DELAWARE**

**Settlement/Tobacco Prevention Spending:** Appropriated \$10,255,600 for tobacco control and prevention programs.

[FY2007 Annual Budget \(S.B. 350\) enacted and effective 7/1/06.](#)

## **DISTRICT OF COLUMBIA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$500,000 for tobacco control and prevention programs.

[FY2007 Appropriations \(B16-673\) passed by City Council 5/9/06 and signed by Mayor 6/5/06.](#)

**Smokefree Air:** Prohibits smoking in almost all workplaces and dining areas of restaurants when the bill takes effect, and extends the law to bar areas of restaurants and stand-alone bars on January 1, 2007. The law provides an economic hardship waiver for restaurants and bars that can demonstrate a negative economic impact from the law.

[B16-293 passed by the City Council 1/4/06, sent back to the council without the Mayor's signature 1/31/06, passed U.S. Congressional review 4/4/06, and effective 4/4/06 and 1/2/07.](#)

**Tobacco Tax:** Establishes a new tax on tobacco products other than cigarettes of 12% of the gross receipts from the sale of or charge for the tobacco product.

[B16-117 passed by the City Council 2/7/06, signed by the Mayor 2/27/06, passed U.S. Congressional review period and became effective 5/12/06.](#)

**Settlement/Tobacco Prevention Funding:** Allocates \$10 million of revenue from the sale of tobacco settlement bonds in 2006 over three years to the American Lung Association of the District of Columbia for tobacco prevention and cessation programs.

[B16-913 passed by the City Council 12/19/06, signed by mayor 12/29/06, projected to pass U.S. Congressional Review period and become effective 3/12/07.](#)

**Settlement/Securitization:** Amends the Tobacco Settlement Trust Fund Establishment Act of 1999 to authorize and provide for the transfer of certain MSA monies to the Tobacco Settlement Financing Corporation; also amends the Tobacco Settlement Financing Act of 2000 to authorize the Tobacco Settlement Financing Corporation to issue additional bonds to finance the costs of the National Capital Medical Center, healthcare related issues, other capital projects, or for debt defeasance.

[B16-605 passed by City Council 5/2/06, signed by mayor 5/19/06, passed U.S. Congressional Review period and became effective 7/25/06.](#)

## **FLORIDA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$5,600,000 for tobacco control and prevention programs. [FY2006 Annual Budget \(H.B. 5001\) enacted 5/25/06 and effective 7/1/06.](#)

**Settlement/Tobacco Prevention Funding:** On November 7, voters approved Amendment 4, a constitutional amendment that will require 15 percent (about \$57 million) of tobacco settlement money to be spent on tobacco prevention programs starting in FY2008.

[Amendment 4, approved by voters 11/7/06 and effective 7/1/07 \(requires implementation legislation during 2007 legislative session\).](#)

**Smokefree Air:** Amends some of the requirements for allowing smoking in a stand-alone bar.

[H.B. 317 enacted and effective 6/9/06.](#)

## **GEORGIA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$2,269,925 for tobacco control and prevention programs. [FY2007 Annual Budget \(H.B. 1027\) enacted 5/8/06 and effective 7/1/06.](#)

## **HAWAII**

**Settlement/Tobacco Prevention Spending:** Expected non-federal expenditure of \$9,417,041 for tobacco control and prevention programs in 2006/2007.

[FY2006-FY2007 Budget \(H.B. 100\) enacted 6/30/05 and effective 7/1/05 \(FY2006\) & 7/1/06 \(FY2007\);](#) and expenditure for calendar year 2006 from Hawaii Tobacco Prevention and Control Trust Fund.

**Smokefree Air:** Prohibits smoking in almost all public places and workplaces, including restaurants and bars. Also prohibits smoking within 20 feet of entrances, exits and ventilation intakes to all places covered by the law.

[S.B. 3262 enacted 7/10/06 and effective 11/16/06.](#)

**Tobacco Tax:** Increases the cigarette tax to \$2.60 per pack in \$0.20 increments over the next six years starting on September 30, 2006 and ending September 30, 2011. The revenue is dedicated to several health-related special funds.

[S.B. 2961 enacted \(became law without the governor's signature\) and effective 7/12/06.](#)

**Tobacco Liability:** Caps the appeal bond required to appeal a lawsuit judgment at \$25 million, regardless of the amount of the judgment. An exception is provided for intentional dissipation of assets. This does not apply to MSA signatories for whom the appeal bond is limited under an existing statute.

[H.B. 3250 enacted and effective 4/21/06.](#)

## **IDAHO**

**Settlement/Tobacco Prevention Spending:** Appropriated \$1,073,400 for tobacco control and prevention programs. [FY2007 Millennium Income Fund Appropriations \(S.B. 1460\) enacted 4/7/06 and effective 7/1/06 & FY2007](#) and [Appropriation for the Department of Health and Welfare \(H.B. 838\) enacted 4/7/06 and effective 7/1/06.](#)

**Settlement:** Creates the Idaho Millennium Permanent Endowment Fund and designates 80% of the annual MSA payments on and after January 1, 2007 to this fund. The remaining 20% of the MSA payments will go into the already existing Idaho Millennium Fund. A set amount of money is to be distributed annually from both these funds to the already

existing Idaho Millennium Income Fund. These changes will go into effect if Senate Joint Resolution 107 is approved by Idaho voters this November.

[S.B. 1416 enacted 3/24/06 and effective 1/1/07.](#)

**Settlement:** Submits a constitutional amendment to the voters of Idaho concerning distribution of MSA payments on and after January 1, 2007. Payments would be distributed to a newly created Idaho Millennium Permanent Endowment Fund and the already existing Idaho Millennium Fund in accordance with S.B. 1416 (see above).

[S.J.R. 107 approved by legislature 3/16/06 and approved by voters 11/7/06.](#)

**Tobacco Product Licensing:** Increases the penalty for cigarette wholesalers that sell cigarettes without a permit or after a permit was suspended or revoked.

[H.B. 459 enacted 3/14/06 and effective 6/10/06.](#)

## **ILLINOIS**

**Settlement/Tobacco Prevention Spending:** Appropriated \$8,500,000 for tobacco control and prevention programs.

[FY2007 Annual Budget \(S.B. 1520\) enacted 5/22/06 and effective 7/1/06.](#)

**Smokefree Air:** Prohibits smoking in all areas of college dormitories in public and private institutions of higher education in the state of Illinois.

[S.B. 2465 enacted and effective 5/15/06.](#)

**Fire-Safe Cigarettes:** After the effective date, requires cigarettes sold in Illinois to self-extinguish when not being smoked based on the specified performance standard.

[S.B. 2302 enacted 5/19/06 and effective 1/1/08.](#)

**Smokefree Air/Preemption:** Allows non-home rule counties within the unincorporated areas of the county to regulate smoking in public places as long as the ordinance is no less restrictive than state law. Also allows local entities to regulate smoking in public places or workplaces that do not fall under the definition of "public place" in state law.

[S.B. 2400 enacted and effective 6/26/06.](#)

## **INDIANA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$10,859,308 for tobacco control and prevention programs for FY2007.

[FY 2006-FY2007 Biennial Budget \(H.B. 1001\) enacted 5/13/05 and effective 7/1/05 \(FY2005\) & 7/1/06 \(FY2006\).](#)

**Health Insurance/Smokers:** Allows an employer to implement financial incentives intended to reduce tobacco use related to the health benefits provided by the employer.

[H.B. 1420 enacted 3/22/06 and effective 7/1/06.](#)

## **IOWA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$6,503,775 for tobacco control and prevention programs.

[FY2007 Appropriation from Healthy Iowans Tobacco Trust \(H.F. 2743\) enacted 6/1/06 and effective 7/1/06](#) and [FY2007 Appropriations for various state departments \(H.F. 2734\) enacted 6/2/06 and 7/1/06.](#)

## **KANSAS**

**Settlement/Tobacco Prevention Spending:** Appropriated \$2,150,000 for tobacco control and prevention programs.

[FY2007 Annual Budget \(S.B. 480\) enacted 4/18/06 and effective 7/1/06;](#) and additional money from Department of Social and Rehabilitation Services for failure to hit Synar targets.

## **KENTUCKY**

**Settlement/Tobacco Prevention Spending:** Appropriated \$2,725,600 for tobacco control and prevention programs.

[FY2007 Annual Budget \(H.B. 380\) enacted 4/24/06 and effective 7/1/06.](#)

**Smokefree Air:** The governor signed an executive order prohibiting smoking in all office buildings and common areas occupied by executive branch employees. The order does not apply to state legislative or judicial branch employees. E.O. 2006-0807 signed 7/11/06 and effective 8/1/06.

**Smokefree Air:** Requires a smoking policy to be established in state office buildings and workplaces, requires state postsecondary institutions to set a smoking policy, and allows local governments to set a smoking policy in local government buildings. The smoking policy may allow indoor smoking areas or may prohibit smoking entirely.

[H.B. 55 enacted 4/4/06 and effective 7/12/06.](#)

**Tobacco Tax:** Establishes a new excise tax on cigarette papers of \$0.25 per package of 32 sheets.

[H.B. 380 enacted 4/24/06 and effective 6/1/06.](#)

## **LOUISIANA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$7,966,912 for tobacco control and prevention programs.  
[FY2007 Appropriations \(H.B. 1\) enacted 7/11/06 retroactive to 7/1/06.](#)

**Smokefree Air:** Prohibits smoking in most public places and workplaces, including restaurants and attached bars in restaurants. Stand-alone bars, casinos and certain establishments with video poker machines are exempt.

[S.B. 742 enacted 6/30/06 and effective 1/1/07.](#)

**Tobacco Tax:** Dedicated a small portion of the existing cigarette tax to tobacco regulation enforcement.

[H.B. 269 enacted 6/30/06 and effective 7/1/06.](#)

**Smoking in Cars:** Prohibits smoking in vehicles when a child required to be restrained in a child safety seat is present. Violation of the law is a primary offense.

[H.B. 1010 enacted 7/5/06 and effective 8/15/06.](#)

## **MAINE**

**Settlement/Tobacco Prevention Spending:** Appropriated \$14,691,699 for tobacco control and prevention programs in FY2007.

[FY2006-FY2007 Biennial Budget \(Pub. Law 2005, chap. 12, Part A, § 1\) enacted 3/31/05 and effective 7/1/05 \(FY2006\) & 7/1/06 \(FY2007\) & FY2006-FY2007 Supplemental Appropriations \(Pub. Law 2005, chap. 519, parts N, FFF, A & AA\) enacted 3/29/06 and effective 3/29/06 \(FY2006\) & 7/1/06 \(FY2007\).](#)

**Smokefree Air:** A new law changes the requirements under which private clubs may allow smoking in their facilities.

[Pub. Law 2005, chap. 581 enacted 4/13/06 and effective 9/1/06.](#)

**Tobacco Product Licensing:** A new law requires tobacco product distributors to obtain a license from the State Tax Assessor and retailers who purchase tobacco products from unlicensed distributors be licensed as distributors themselves and amends other tobacco tax laws.

[Pub. Law 2005, chap. 627 § 1 enacted 5/4/06 and effective 8/23/06.](#)

**Smokefree Air:** Rules were enacted by the state Department of Health and Human Services further strengthening Maine's public place and workplace laws governing smoking.

[CODE of ME RULES 10-144, Ch. 249 & 250, effective 10/2/06.](#)

## **MARYLAND**

**Settlement/Tobacco Prevention Spending:** Appropriated \$18,723,624 for tobacco control and prevention programs.  
[FY2007 Annual Budget \(S.B. 110\) enacted \(became law without governor's signature\) 4/25/06 and effective 7/1/06.](#)

## **MASSACHUSETTS**

**Settlement/Tobacco Prevention Spending:** Appropriated \$8,250,000 for tobacco control and prevention programs.  
[FY2007 Annual Budget \(H.B. 5000\) enacted 7/8/06 and effective retroactive to 7/1/06; and H.B. 4479 enacted 4/12/06 and effective 7/1/06.](#)

**Cessation Coverage:** Sets up a two-year pilot program to cover smoking and tobacco use cessation treatment under the Massachusetts state Medicaid program (MassHealth). This includes both medication and counseling services.

[H.B. 4479 enacted 4/12/06 and effective 7/1/06.](#)

**Fire-Safe Cigarettes:** Requires all cigarettes sold in Massachusetts after the effective date of this law to self-extinguish when not being smoked based on the specified performance standard.

[S.B. 2403 enacted 7/8/06 and effective 1/1/08.](#)

## **MICHIGAN**

**Settlement/Tobacco Prevention Spending:** Appropriated \$3,600,000 for tobacco control and prevention programs.  
[FY2007 Annual Department of Community Health Budget \(S.B. 1083\) enacted 8/10/06 and effective 10/1/06.](#)

**Youth Access:** Makes it illegal for minors to purchase, possess or use tobacco products and/or offer false proof of age to purchase a tobacco product.

[H.B. 5396 enacted 6/24/06 and effective 6/27/06.](#)

## **MINNESOTA**

**Settlement/Tobacco Prevention Spending:** Appropriated/Allocated \$21,637,943 total for tobacco control and prevention programs in FY2007.

[FY2006-FY2007 Biennial Health and Human Services Budget \(H.F. 139, 1st special session 2005\) enacted and effective 7/14/05 \(FY2006\) & 7/1/06 \(FY2007\)](#) and FY2007 ClearWay Minnesota (formerly MPAAT) Operating Budget.

**Tobacco Tax:** On May 16, 2006, the Minnesota Supreme Court ruled that the \$0.75 "Health Impact Fee" on cigarettes and 35 percent of the wholesale sales price "fee" on other tobacco products, passed by the legislature in July 2005, does not violate Minnesota's settlement agreement with the major tobacco companies or the Minnesota Constitution. This overturns a lower court decision in December 2005 that had overturned the "Health Impact Fee."

[State of Minnesota et al. v. Philip Morris USA et al., decided 5/16/06.](#)

## **MISSISSIPPI**

**Settlement/Tobacco Prevention Spending:** Per the May 29, 2006 court decision, the \$20 million payment made to the Partnership for a Healthy Mississippi in January 2006 will now be returned to the Mississippi Health Care Trust Fund. No new money has been allocated to the Partnership for FY2007.

Ruling of Jackson County Chancery Court Judge Jave Bradley, issued 5/29/06.

**Settlement/Tobacco Prevention Spending:** On May 29, a Mississippi judge ruled that the court does not have the power to allocate funding to the non-profit Partnership for a Healthy Mississippi, which runs Mississippi's tobacco prevention program. Under the ruling, the \$20 million payment made to The Partnership in January will be returned to the Mississippi Health Care Trust Fund.

Ruling of Jackson County Chancery Court Judge Jaye Bradley, issued 5/29/06.

**Smokefree Air:** Prohibits smoking in most state and local government buildings. Also prohibits smoking in college/university classrooms. The law specifically allows local communities to pass stronger laws.

[H.B. 123 enacted 3/23/06 and effective 7/1/06.](#)

**Settlement:** Moves back the period that money taken from the Health Care Trust Fund in 2005 be paid back from the General Fund. The money is now scheduled to be paid back in FY2008 through FY2015. The money was previously scheduled to be paid back in FY2007 through FY2014.

[S.B. 2475 enacted and effective 4/5/06.](#)

## **MISSOURI**

**Settlement/Tobacco Prevention Spending:** Appropriated no state money for tobacco control and prevention programs in FY2007.

## **MONTANA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$6,885,385 for tobacco control and prevention programs for FY2007.

[FY2006-FY2007 Biennial Budget \(H.B. 2\) enacted 5/6/05 and effective 7/1/05 \(FY2006\) & 7/1/06 \(FY2007\).](#)

## **NEBRASKA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$3,060,000 for tobacco control and prevention programs in FY2007.

FY2006-FY2007 Biennial Budget (L.D. 425) enacted 5/24/05 and effective 7/1/05 (FY2006) & 7/1/06 (FY2007)

## **NEVADA**

**Settlement/Tobacco Prevention Spending:** Allocated \$3,820,033 for tobacco control and prevention programs in FY2007.

FY2007 Allocation based on 1999 law/Task Force for the Fund for a Healthy Nevada Recommendations, effective 7/1/06.

**Smokefree Air:** On November 7, voters approved Issue 5, a ballot initiative that will prohibit smoking in most public places and workplaces in Nevada, including all restaurants and bars that serve food. The law exempted stand-alone bars that do not serve food and casino floors. Preemption of local ordinances was also repealed.

[2006 Ballot Issue 5 approved by voters 11/7/06 and effective 12/8/06.](#)

## **NEW HAMPSHIRE**

**Settlement/Tobacco Prevention Spending:** Appropriated no state money for tobacco control and prevention programs for FY2006 and FY2007.

**Fire-Safe Cigarettes:** After this bill takes effect, all cigarettes sold in New Hampshire will be required to self-extinguish when they are not being smoked based on the specified performance standard.

[H.B. 645 enacted 5/31/06 and effective 10/1/07.](#)

## **NEW JERSEY**

**Settlement/Tobacco Prevention Spending:** Appropriated \$11,000,000 for tobacco control and prevention programs. [FY2007 Annual Budget \(S.B. 2007\) enacted and effective 7/8/06.](#)

**Smokefree Air:** Prohibits smoking in almost all public places and workplaces, including restaurants and bars. The law exempts the floors of casinos.

[S.B. 1926 enacted 1/15/06 and effective 4/15/06.](#)

**Tobacco Tax:** Increases the cigarette tax by 17.5 cents to \$2.575 per pack. The tax on moist snuff was changed to a weight-based tax of 75 cents per ounce.

[A.B. 4705 enacted 7/8/06 and effective 7/15/06.](#)

**Minimum Age:** Raises the minimum age to purchase tobacco products to 19.

[S.B. 2783 enacted 1/15/06 and effective 4/15/06.](#)

## **NEW MEXICO**

**Settlement/Tobacco Prevention Spending:** Appropriated \$7,715,800 for tobacco control and prevention programs. [FY2007 Annual Budget \(H.B. 2\) enacted 3/7/06 and effective 7/1/06.](#)

**Tobacco Product Licensing:** Requires manufacturers and distributors of cigarettes to obtain a license to engage in business in New Mexico. The legislation allows for up to a \$100 annual license fee.

[H.B. 617 enacted 3/6/06 and effective 5/17/06.](#)

## **NEW YORK**

**Settlement/Tobacco Prevention Spending:** Appropriated \$85,485,000 for tobacco control and prevention programs. [FY2007 Annual Budget \(A.B. 9554\) enacted and effective 4/12/06.](#)

**Fire-Safe Cigarettes:** Added additional reporting and labeling requirements to the law requiring cigarettes to self-extinguish when they are not being smoked.

[A.B. 7166 enacted 8/16/06 and effective 12/16/06 and 8/16/07.](#)

## **NORTH CAROLINA**

**Settlement/Tobacco Prevention Spending:** The Health and Wellness Trust Fund Commission allocated \$17,100,000 for tobacco control and prevention related initiatives in FY2007.

**Smokefree Air:** Prohibits smoking in all buildings occupied by the General Assembly of North Carolina.

[H.B. 1133 enacted and effective 7/10/06.](#)

**Smokefree Air:** Exempts community colleges from the state law governing smoking in state owned buildings allowing them to set more restrictive policies than state law.

[H.B. 448 enacted and effective 7/19/06.](#)

## **NORTH DAKOTA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$3,095,000 for tobacco control and prevention programs in FY2007.

[FY2006-FY2007 Biennial Department of Health Budget \(S.B. 2004\) enacted 4/25/05 and effective 7/1/05 \(FY2006\) & 7/1/06 \(FY2007\).](#)

## **OHIO**

**Settlement/Tobacco Prevention Spending:** The Ohio Tobacco Use Prevention and Control Foundation allocated \$45,025,347 for tobacco control and prevention programs in FY2007.

**Smokefree Air:** On November 7, voters approved Issue 5, a statutory initiative that will prohibit smoking in almost all public places and workplaces in Ohio, including all restaurants and bars.

[Issue 5 approved by voters 11/7/06 and effective 12/7/06.](#)

**Settlement/Tobacco Prevention Spending:** Transfers all the Master Settlement Agreement money scheduled to go to the Tobacco Use Prevention and Control Foundation in FY2006 and FY2007 to various other purposes.

[FY2005-FY2006 Biennial Operating Budget \(H.B. 66\) enacted 6/30/05 and effective 7/1/05 \(FY2006\) & 7/1/06 \(FY2007\).](#)

## **OKLAHOMA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$10,000,000 for tobacco control and prevention programs.

[FY2007 Annual Department of Health Budget \(S.B. 34, 2nd special session, 2006\) enacted 6/27/06 and effective 7/1/06 & interest generated by the Tobacco Settlement Endowment Trust Fund and certified for use in FY2007.](#)

## **OREGON**

**Settlement/Tobacco Prevention Spending:** Appropriated \$3,450,000 for tobacco control and prevention programs for FY2007.

[FY2006-FY2007 Department of Human Services Biennial Budget \(H.B. 5148\) enacted and effective 8/17/05 \(FY2006\) & 7/1/06 \(FY2007\).](#)

## **PENNSYLVANIA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$30,260,000 for tobacco control and prevention programs. FY2007 Allocation based on the Tobacco Settlement Act of 2001, effective 7/1/06.

## **RHODE ISLAND**

**Settlement/Tobacco Prevention Spending:** Appropriated \$1,135,808 for tobacco control and prevention programs.

[FY2007 Appropriations \(H.B. 7120\) enacted 6/30/06 and effective 7/1/06.](#)

**Cessation Coverage:** As of January 1, 2007, requires all health insurers in the state to cover smoking cessation, including over-the-counter and prescription medication (if the plan covers prescription drugs) and eight 30 minute counseling sessions.

[H.B. 7467/S.B. 2706 enacted and effective 7/3/06.](#)

**Tobacco Tax:** Specifies that the tobacco tax on cigars can not exceed \$0.50 per cigar from July 1, 2006 to July 1, 2008. Also changes the tax on snuff to a weight-based tax of \$1.00 per ounce.

[H.B. 7120 enacted 6/30/06 and effective 7/1/06.](#)

## **SOUTH CAROLINA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$2,000,000 for tobacco control and prevention programs.

[FY2007 Annual Budget \(H.B. 4810\) enacted by veto override 6/14/06 and effective 7/1/06.](#)

**Youth Access:** Makes changes to the penalties for selling or furnishing tobacco products to minors, establishes placement restrictions on tobacco product vending machines, and establishes penalties for minors who purchase or possess tobacco products.

[S.B. 384 enacted 2/21/06 and effective 8/21/06.](#)

## **SOUTH DAKOTA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$707,883 for tobacco control and prevention programs.

[FY2007 Annual Budget \(S.B. 209\) enacted 3/13/06 and effective 7/1/06.](#)

**Tobacco Tax:** On November 7, voters approved Issue 2, a ballot initiative that will increase the cigarette tax by \$1.00 to \$1.53 per pack and the tax on other tobacco products from 10 to 35 percent of the wholesale price. Of the revenue generated, \$5 million is dedicated to tobacco prevention programs.

[Issue 2 approved by voters 11/7/06 and effective 1/1/07.](#)

## **TENNESSEE**

**Settlement/Tobacco Prevention Spending:** Appropriated \$337,700 for tobacco control and prevention programs.  
[FY2007 Annual Budget \(S.B. 3914\) enacted 6/21/06 and effective 7/1/06.](#)

**Smokefree Air:** Prohibits smoking in all buildings that are owned and operated by the state of Tennessee, which includes all executive, legislative and judicial buildings.

[S.B. 3368 enacted 6/12/06 and effective 6/12/06 & 7/1/07.](#)

## **TEXAS**

**Settlement/Tobacco Prevention Spending:** Appropriated \$7,218,131 for tobacco control and prevention programs for FY2007.

[FY2006-FY2007 Biennial Budget \(S.B. 1\) enacted 6/18/05 and effective 9/1/05 \(FY2006\) & 9/1/06 \(FY2007\).](#)

**Tobacco Tax:** Increases the cigarette tax by \$1.00 to \$1.41 per pack and increases the tax on tobacco products other than cigars to 40 percent of the manufacturer's list price.

[H.B. 5 \(1st special session 2006\) enacted 5/31/06 and effective 1/1/07.](#)

**Tobacco Tax:** Allocates revenue from the increase in the cigarette and other tobacco products taxes passed in 2006 (see above) to a Property Tax Relief Fund.

[H.B. 2 \(1st special session 2006\) enacted 5/24/06 and effective 9/1/06.](#)

**Smokefree Air:** By rule, smoking was prohibited in all foster family homes and in vehicles when the foster child is present. Foster children are also prohibited from using or possessing tobacco products.

[TX ADMIN. CODE tit. 40, Part 19, Subchapter O, Div. 2 § 749.2931, effective 1/1/07.](#)

## **UTAH**

**Settlement/Tobacco Prevention Spending:** Appropriated \$7,698,400 for tobacco control and prevention programs.

[FY2007 Annual Budget \(S.B. 1\) enacted 2/3/06 and effective 7/1/06.](#)

**Smokefree Air:** Strengthens Utah's existing smokefree air law by prohibiting smoking in almost all non-public workplaces when the bill goes into effect, private clubs with specified licenses on January 1, 2007 and in taverns/remaining private clubs on January 1, 2009.

[S.B. 19 enacted 3/16/06 and effective 5/1/06, 1/1/07 and 1/1/09.](#)

## **VERMONT**

**Settlement/Tobacco Prevention Spending:** Appropriated \$5,110,048 for tobacco control and prevention programs in FY2007.

[FY2007 Annual Budget \(H.B. 881\) enacted 5/31/06 and effective 7/1/06.](#)

**Tobacco Tax:** Increases the cigarette tax by \$0.60 to \$1.79 per pack on July 1, 2006 and by an additional \$0.20 to \$1.99 per pack on July 1, 2008. Little cigars and roll-your-own tobacco will now be taxed at the same rate as cigarettes. Snuff will now be taxed based on weight. The tax will be \$1.49 per ounce on July 1, 2006 and will increase to \$1.66 per ounce on July 1, 2008. The revenue from the cigarette tax will be divided between a State Health Care Resources Fund and the Catamount Fund.

[H.B. 861 enacted 5/25/06 and effective 7/1/06 and 7/1/08.](#)

## **VIRGINIA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$13,500,000 for tobacco control and prevention programs.

[FY2007-FY2008 Biennial Budget \(H.B. 5002a, 2006 1st special session\) enacted 6/30/06 and effective 7/1/06 \(FY2007\) & 7/1/07 \(FY2008\).](#)

**Smokefree Air:** The governor signed an executive order prohibiting smoking in most state offices occupied by executive branch agencies, including institutions of higher education, and most state vehicles.

[Exec. Order 41 signed 10/26/06 and effective 1/1/07.](#)

**Tobacco Tax:** Added roll-your-own tobacco to the definition of cigarette for tobacco tax purposes, but creates a separate, new cigarette excise tax for roll-your-own tobacco of 10 percent of the wholesale sales price.

[S.B. 729 enacted 4/5/06 and effective 1/1/07.](#)

## **WASHINGTON**

**Settlement/Tobacco Prevention Spending:** Appropriated \$27,245,000 for tobacco control and prevention programs for FY2007.

[FY2006-FY2007 Biennial Budget \(S.B. 6090\) enacted 5/17/05 and effective 7/1/05 \(FY2006\) & 7/1/06 \(FY2007\).](#)

**Youth Access/Sampling:** Prohibits the distribution of samples of tobacco products at no or nominal cost to members of the general public.

[S.B. 5048 enacted 3/9/06 and effective 6/7/06.](#)

**Youth Access/Sampling:** In August 2006, a U.S. District Court judge ruled that Washington state's law banning sampling of tobacco products is preempted by the Federal Cigarette Labeling and Advertising Act. So, the ban on sampling is currently not in effect.

R.J. Reynolds Tobacco Company v. McKenna, Merritt D. Long, Vera Ing, and Roger Hoen, decided 8/24/06.

**Liability/Appeal Bonds:** Caps the appeal bond that is required to appeal lawsuit judgments for MSA signatories at \$100 million, regardless of the amount of the judgment. An exception is provided for intentional dissipation of assets.

[S.B. 6541 enacted 3/27/06 and effective 6/7/06.](#)

## **WEST VIRGINIA**

**Settlement/Tobacco Prevention Spending:** Appropriated \$5,400,000 for tobacco control and prevention programs for FY2007.

[FY2007 Annual Budget \(S.B. 125\) enacted 3/24/06 and effective 7/1/06.](#)

**Settlement:** Transfers all the money currently in the West Virginia Tobacco Settlement Medical Trust Fund to a newly created Revenue Shortfall Reserve Fund. The interest from this reserve fund is allowed to be spent on tobacco prevention programs.

[H.B. 4015 enacted 3/31/06 and effective 6/9/06.](#)

## **WISCONSIN**

**Settlement/Tobacco Prevention Spending:** Appropriated \$10,000,000 for tobacco control and prevention programs for FY2007.

[FY2006-FY2007 Biennial Budget \(A.B. 100\) enacted and effective 7/25/05 \(FY2006\) & 7/1/06 \(FY2007\).](#)

**Smokefree Air:** Effective September 1, 2006, the possession and use of tobacco products was prohibited in and on all WI Dept. of Corrections owned and leased property. Exceptions can be made for specific circumstances such as for use in inmate religious activities.

Memo from Rick Raemisch, Dep. Secretary, WI Dept. of Corrections, dated September 23, 2005.

## **WYOMING**

**Settlement/Tobacco Prevention Spending:** Appropriated \$5,906,830 for tobacco control and prevention programs in FY2007.

[FY2007-FY2008 Mental Health and Substance Abuse Biennial Budget \(H.B. 91\) enacted 3/10/06 and effective 7/1/06 \(FY2007\) & 7/1/07 \(FY2008\).](#)