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State of Minnesota  
HOUSE OF REPRESENTATIVES  
NINETIETH SESSION

H. F. No. 3291

03/05/2018 Authored by Anselmo; Jessup; Barr, R.; Dean, M.; Halverson and others  
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act  
1.2 relating to health; authorizing statewide cessation services to help Minnesotans  
1.3 quit using tobacco products; establishing a tobacco cessation account in the special  
1.4 revenue fund; appropriating money; amending Minnesota Statutes 2016, section  
1.5 16A.98, subdivision 12; proposing coding for new law in Minnesota Statutes,  
1.6 chapter 144.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2016, section 16A.98, subdivision 12, is amended to read:

1.9 Subd. 12. **Tobacco settlement recovery account.** (a) The authority shall establish the  
1.10 tobacco settlement recovery account, which shall consist of three subaccounts: (1) the  
1.11 general tobacco subaccount, (2) the tobacco settlement revenues subaccount, and (3) the  
1.12 tobacco settlement residual subaccount. The authority shall deposit all moneys paid pursuant  
1.13 to the settlement agreement, and any other moneys as provided by law into the several  
1.14 subaccounts of the tobacco settlement recovery account. Money shall be deposited into the  
1.15 tobacco settlement revenues subaccount and the tobacco settlement residual subaccount as  
1.16 provided by the terms of this section, including any agreement between the state and the  
1.17 authority implementing the same. All other moneys available to be deposited into the tobacco  
1.18 settlement recovery account shall be deposited into the general tobacco subaccount. An  
1.19 investment made from moneys credited to a specific subaccount constitutes part of that  
1.20 subaccount and such subaccount shall be credited with all income from the investment of  
1.21 such moneys. The commissioner may invest the moneys in the several subaccounts of the  
1.22 tobacco settlement recovery account in the same manner, in the same types of investments,  
1.23 and subject to the same limitations provided in section 11A.24. Notwithstanding the  
1.24 foregoing, to the extent necessary to preserve the tax-exempt status of any bonds issued  
1.25 pursuant to this section, the interest on which is intended to be excludable from the gross

2.1 income of the owners for federal income tax purposes, moneys on deposit in the tobacco  
 2.2 settlement revenues subaccount and the tobacco settlement residual subaccount, may be  
 2.3 invested in obligations the interest upon which is tax exempt under the provisions of Section  
 2.4 103 of the Internal Revenue Code of 1986, as now or hereafter amended, or any successor  
 2.5 code or provision.

2.6 (b) Of the moneys on deposit in the tobacco settlement residual subaccount, \$..... shall  
 2.7 be annually transferred to the commissioner for deposit in the tobacco cessation account  
 2.8 established under section 144.397 in the special revenue fund, and the remainder of the  
 2.9 money shall be transferred to the commissioner for deposit in the general fund.

2.10 (c) The amounts deposited into the tobacco settlement bond proceeds fund from the  
 2.11 general tobacco subaccount and interest thereon are appropriated to the commissioner for  
 2.12 payment of working capital, debt service on outstanding obligations of the general fund,  
 2.13 the funding of debt service reserves for the bonds, each as permitted by state and federal  
 2.14 law, nonsalary expenses incurred in conjunction with the sale of the bonds and to supplement  
 2.15 the tobacco settlement residual subaccount to pay for appropriated obligations of the tobacco  
 2.16 settlement recovery account for state fiscal years 2012 and 2013. The commissioner may  
 2.17 transfer the amounts available to reduce debt service on outstanding obligations of the  
 2.18 general fund to the state bond fund under section 16A.641.

2.19 Sec. 2. **[144.397] STATEWIDE TOBACCO CESSATION SERVICES.**

2.20 Subdivision 1. **Requirements for services.** (a) The commissioner of health shall  
 2.21 administer, or contract for the administration of, statewide tobacco cessation services to  
 2.22 assist Minnesotans who are seeking advice or services to help them quit using tobacco  
 2.23 products. The commissioner shall establish statewide public awareness activities to inform  
 2.24 the public of the availability of the services and encourage the public to utilize the services  
 2.25 because of the dangers and harm of tobacco use and dependence.

2.26 (b) Services to be provided may include, but are not limited to:

2.27 (1) telephone-based coaching and counseling;

2.28 (2) referrals;

2.29 (3) written materials mailed upon request;

2.30 (4) Web-based texting or e-mail services; and

2.31 (5) free Food and Drug Administration-approved tobacco cessation medications.

3.1 (c) Services provided must be consistent with evidence-based best practices in tobacco  
3.2 cessation services. Services provided must be coordinated with employer, health plan  
3.3 company, and private sector tobacco prevention and cessation services that may be available  
3.4 to individuals depending on their employment or health coverage.

3.5 Subd. 2. **Tobacco cessation account.** A tobacco cessation account is established in the  
3.6 special revenue fund in the state treasury. Money in the account is annually appropriated  
3.7 to the commissioner of health for statewide tobacco cessation services under subdivision  
3.8 1.