

**Youth Electronic Cigarette, Marijuana, and Other  
Drug Prevention Program Sunset Extension**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor:**

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**LONG TITLE**

**General Description:**

This bill addresses the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Program, the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Committee, and the Electronic Cigarette Substance and Nicotine Product Proceeds Restricted Account.

**Highlighted Provisions:**

This bill:

- addresses the scope of the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Program;
- requires the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Committee to meet at least quarterly;
- establishes an order of priority for the various program funding distributions from the Electronic Cigarette Substance and Nicotine Product Proceeds Restricted Account; and
- extends the sunset dates for the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Committee and Program.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**26B-1-428**, as last amended by Laws of Utah 2024, Chapter 245

**59-14-807**, as last amended by Laws of Utah 2024, Chapter 470

**63I-1-226**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

**63I-2-259**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **26B-1-428** is amended to read:

**26B-1-428 . Youth Electronic Cigarette, Marijuana, and Other Drug Prevention  
Committee and Program -- Creation -- Membership -- Duties.**

(1) As used in this section:

(a) "Committee" means the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Committee created in Section 26B-1-204.

(b) "Program" means the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Program created in this section.

(2)(a) There is created within the department the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Program.

(b) In consultation with the committee, the department shall:

(i) establish guidelines for the use of funds appropriated to the program under Subsection 59-14-807(3)(a)(vi);

(ii) ensure that guidelines developed under Subsection (2)(b)(i) are evidence-based and appropriate for the population targeted by the program; and

(iii) subject to appropriations from the Legislature under Subsection 59-14-807(3)(a)(vi), fund statewide initiatives to prevent use of electronic cigarettes, nicotine products, marijuana, and other drugs by youth.

(3)(a) The committee shall[-] :

(i) advise the department on:

[(i)] (A) preventing use of electronic cigarettes, marijuana, and other drugs by youth in the state;

[(ii)] (B) developing the guidelines described in Subsection (2)(b)(i); and

[(iii)] (C) implementing the provisions of the program[-] ; and

(ii) meet quarterly or more frequently as determined necessary by the department's designee under Subsection (3)(c)(ii).

(b) The executive director shall:

(i) appoint members of the committee; and

(ii) consult with the Utah Substance Use and Mental Health Advisory Committee created in Section 26B-5-801 when making the appointments under Subsection (3)(b)(i).

(c) The committee shall include, at a minimum:

(i) the executive director of a local health department as defined in Section 26A-1-102, or the local health department executive director's designee;

(ii) one designee from the department;

- (iii) one representative from the Department of Public Safety;
  - (iv) one representative from the behavioral health community; and
  - (v) one representative from the education community.
  - (d) A member of the committee may not receive compensation or benefits for the member's service on the committee, but may receive per diem and travel expenses in accordance with:
    - (i) Section 63A-3-106;
    - (ii) Section 63A-3-107; and
    - (iii) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
  - (e) The department shall provide staff support to the committee.
- (4) On or before October 31 of each year, the department shall report to:
- (a) the Health and Human Services Interim Committee regarding:
    - (i) the use of funds appropriated to the program;
    - (ii) the impact and results of the program, including the effectiveness of each program funded under Subsection (2)(b)(iii), during the previous fiscal year;
    - (iii) a summary of the impacts and results on reducing youth use of electronic cigarettes and nicotine products by entities represented by members of the committee, including those entities who receive funding through the Electronic Cigarette Substance and Nicotine Product Proceeds Restricted Account created in Section 59-14-807; and
    - (iv) any recommendations for legislation; and
  - (b) the Utah Substance Use and Mental Health Advisory Committee created in Section 26B-5-801, regarding:
    - (i) the effectiveness of each program funded under Subsection (2)(b)(iii) in preventing youth use of electronic cigarettes, nicotine products, marijuana, and other drugs; and
    - (ii) any collaborative efforts and partnerships established by the program with public and private entities to prevent youth use of electronic cigarettes, marijuana, and other drugs.

Section 2. Section **59-14-807** is amended to read:

**59-14-807 . Electronic Cigarette Substance and Nicotine Product Proceeds Restricted Account.**

- (1) There is created within the General Fund a restricted account known as the "Electronic Cigarette Substance and Nicotine Product Proceeds Restricted Account."

- 99 (2) The Electronic Cigarette Substance and Nicotine Product Proceeds Restricted Account  
100 consists of:
- 101 (a) revenue collected from the tax imposed by Section 59-14-804;
  - 102 (b) fees and penalties collected under Section 59-14-810;
  - 103 (c) all money received by the attorney general or the Department of Commerce as a  
104 result of any judgment, settlement, or compromise of claims pertaining to alleged  
105 violations of law related to the manufacture, marketing, distribution, or sale of  
106 electronic cigarette products, as defined in Section 76-10-101:
    - 107 (i) if the total amount of the judgment, settlement, or compromise received by the  
108 state exceeds \$1,000,000; and
    - 109 (ii) after reimbursement to the attorney general and the Department of Commerce for  
110 expenses related to the matters described in this Subsection (2)(c); and
  - 111 (d) amounts appropriated by the Legislature.
- 112 (3)(a) ~~[For]~~ Subject to Subsections (3)(b) and (c), for each fiscal year and subject to  
113 appropriation by the Legislature, the Division of Finance shall distribute from the  
114 Electronic Cigarette Substance and Nicotine Product Proceeds Restricted Account:
- 115 (i) \$2,000,000 to the Department of Health and Human Services for enforcement  
116 services aimed at disrupting organizations and networks that provide tobacco  
117 products, electronic cigarette products, nicotine products, or other illegal  
118 controlled substances to minors, which the Department of Health and Human  
119 Services shall allocate to the local health departments using the formula created in  
120 accordance with Section 26A-1-116;
  - 121 (ii) \$1,180,000 to the Department of Public Safety for law enforcement officers  
122 aimed at disrupting organizations and networks that provide tobacco products,  
123 electronic cigarette products, nicotine products, and other illegal controlled  
124 substances to minors;
  - 125 (iii) \$1,000,000 to the Department of Health and Human Services for enforcement  
126 services aimed at disrupting organizations and networks that provide tobacco  
127 products, electronic cigarette products, nicotine products, and other illegal  
128 controlled substances to minors;
  - 129 (iv) \$3,000,000 to the Department of Health and Human Services for community  
130 partner prevention programs, which the Department of Health and Human  
131 Services shall allocate to the local health departments using the formula created in  
132 accordance with Section 26A-1-116;

- (v) \$1,000,000 to the Department of Health and Human Services for statewide cessation programs and prevention education;
- (vi) \$2,000,000 to the Department of Health and Human Services for alcohol, tobacco, and other drug prevention, reduction, cessation, and control programs that promote unified messages and make use of media outlets, including radio, newspaper, billboards, and television; and
- (vii) \$5,084,200 to the State Board of Education for school-based prevention programs.
- ~~[(i) \$2,000,000, which shall be allocated to the local health departments by the Department of Health and Human Services using the formula created in accordance with Section 26A-1-116;]~~
- ~~[(ii) \$2,000,000 to the Department of Health and Human Services for statewide cessation programs and prevention education;]~~
- ~~[(iii) \$1,180,000 to the Department of Public Safety for law enforcement officers aimed at disrupting organizations and networks that provide tobacco products, electronic cigarette products, nicotine products, and other illegal controlled substances to minors;]~~
- ~~[(iv) \$3,000,000, which shall be allocated to the local health departments by the Department of Health and Human Services using the formula created in accordance with Section 26A-1-116;]~~
- ~~[(v) \$5,084,200 to the State Board of Education for school-based prevention programs;]~~
- ~~[(vi) \$2,000,000 to the Department of Health and Human Services for alcohol, tobacco, and other drug prevention, reduction, cessation, and control programs that promote unified messages and make use of media outlets, including radio, newspaper, billboards, and television; and]~~
- ~~[(vii)]~~ (b) If the amount in the Electronic Cigarette Substance and Nicotine Product Proceeds Restricted Account is insufficient to cover the distributions described in Subsection (3)(a), the Division of Finance shall make the distributions under Subsection (3)(a):
- (i) sequentially in the order of priority the distributions are listed under Subsection (3)(a);
- (ii) in full or, if insufficient funds are available to satisfy the next distribution in the sequence, in part; and

167            (iii) until the available funds in the Electronic Cigarette Substance and Nicotine  
 168            Product Proceeds Restricted Account are exhausted.  
 169        (c) ~~[of the money deposited]~~ For each fiscal year and subject to appropriation by the  
 170            Legislature, the Division of Finance shall distribute from the funds deposited under  
 171            Section 59-14-810 into the Electronic Cigarette Substance and Nicotine Product  
 172            Proceeds Restricted Account:  
 173            ~~[(A)]~~ (i) to the commission, in an amount equal to the amount necessary to create and  
 174            maintain the registry described in Section 59-14-810;  
 175            ~~[(B)]~~ (ii) to the Department of Health and Human Services, in an amount necessary  
 176            for completing duties described in Section 59-14-810; and  
 177            ~~[(C)]~~ (iii) to the Department of Health and Human Services, the remainder to be  
 178            divided among the local health departments for inspection and enforcement  
 179            described in Sections 26A-1-131 and 59-14-810.  
 180        ~~[(b) If the amount in the Electronic Cigarette Substance and Nicotine Product Proceeds~~  
 181            ~~Restricted Account is insufficient to cover the distributions described in Subsection~~  
 182            ~~(3)(a), the distribution amounts shall be adjusted proportionately.]~~  
 183        (4)(a) The local health departments shall use the money received in accordance with  
 184            Subsection (3)(a) for enforcing:  
 185            (i) the regulation provisions described in Section 26B-7-505;  
 186            (ii) the labeling requirement described in Section 26B-7-505; and  
 187            (iii) the penalty provisions described in Section 26B-7-518.  
 188        (b) The Department of Health and Human Services shall use the money received in  
 189            accordance with ~~[Subsection (3)(a)(ii)]~~ Subsection (3)(a)(v) for the Youth Electronic  
 190            Cigarette, Marijuana, and Other Drug Prevention Program created in Section  
 191            26B-1-428.  
 192        (c) The local health departments shall use the money received in accordance with  
 193            Subsection (3)(a)(iv) to issue grants under the Electronic Cigarette, Marijuana, and  
 194            Other Drug Prevention Grant Program created in Section 26A-1-129.  
 195        (d) The State Board of Education shall use the money received in accordance with  
 196            Subsection ~~[(3)(a)(v)]~~ (3)(a)(vii) to distribute to local education agencies to pay for:  
 197            (i)(A) stipends for positive behaviors specialists as described in Subsection  
 198            53G-10-407(4)(a)(i);  
 199            (B) the cost of administering the positive behaviors plan as described in  
 200            Subsection 53G-10-407(4)(a)(ii); and

201 (C) the cost of implementing an Underage Drinking and Substance Abuse  
202 Prevention Program in grade 4 or 5, as described in Subsection 53G-10-406  
203 (3)(b); or  
204 (ii) a comprehensive prevention plan, as that term is defined in Section 53F-2-525.

205 (5)(a) The fund shall earn interest.

206 (b) All interest earned on fund money shall be deposited into the fund.

207 (6) Subject to legislative appropriations, funds remaining in the Electronic Cigarette  
208 Substance and Nicotine Product Proceeds Restricted Account after the distribution  
209 described in Subsection (3) may only be used for:

210 (a) funding commission personnel to enforce compliance with the tax collection  
211 requirements of this part; and

212 (b) programs and activities related to the prevention and cessation of electronic cigarette,  
213 nicotine products, marijuana, and other drug use.

214 Section 3. Section **63I-1-226** is amended to read:

215 **63I-1-226 . Repeal dates: Titles 26 through 26B.**

216 (1) Subsection 26B-1-204(2)(g), regarding the Youth Electronic Cigarette, Marijuana, and  
217 Other Drug Prevention Committee, is repealed July 1, 2030.

218 [(1)] (2) Subsection 26B-1-204(2)(h), regarding the Primary Care Grant Committee, is  
219 repealed July 1, 2025.

220 [(2)] (3) Section 26B-1-315, Medicaid ACA Fund, is repealed July 1, 2034.

221 [(3)] (4) Section 26B-1-318, Brain and Spinal Cord Injury Fund, is repealed July 1, 2029.

222 [(4)] (5) Section 26B-1-402, Rare Disease Advisory Council Grant Program -- Creation --  
223 Reporting, is repealed July 1, 2026.

224 [(5)] (6) Section 26B-1-409, Utah Digital Health Service Commission -- Creation --  
225 Membership -- Duties, is repealed July 1, 2025.

226 [(6)] (7) Section 26B-1-410, Primary Care Grant Committee, is repealed July 1, 2025.

227 [(7)] (8) Section 26B-1-416, Utah Children's Health Insurance Program Advisory Council,  
228 is repealed July 1, 2025.

229 [(8)] (9) Section 26B-1-417, Brain and Spinal Cord Injury Advisory Committee --  
230 Membership -- Duties, is repealed July 1, 2029.

231 [(9)] (10) Section 26B-1-422, Early Childhood Utah Advisory Council -- Creation --  
232 Compensation -- Duties, is repealed July 1, 2029.

233 [(10)] (11) Section 26B-1-425, Utah Health Workforce Advisory Council -- Creation and  
234 membership, is repealed July 1, 2027.

235    ~~[(11)]~~ (12) Section 26B-1-428, Youth Electronic Cigarette, Marijuana, and Other Drug  
236       Prevention Committee and Program -- Creation -- Membership -- Duties, is repealed  
237       July 1, ~~[2025]~~ 2030.

238    ~~[(12)]~~ (13) Section 26B-1-430, Coordinating Council for Persons with Disabilities -- Policy  
239       regarding services to individuals with disabilities -- Creation -- Membership --  
240       Expenses, is repealed July 1, 2027.

241    ~~[(13)]~~ (14) Section 26B-1-432, Newborn Hearing Screening Committee, is repealed July 1,  
242       2026.

243    ~~[(14)]~~ (15) Section 26B-2-407, Drinking water quality in child care centers, is repealed July  
244       1, 2027.

245    ~~[(15)]~~ (16) Subsection 26B-3-107(9), regarding reimbursement for dental hygienists, is  
246       repealed July 1, 2028.

247    ~~[(16)]~~ (17) Section 26B-3-136, Children's Health Care Coverage Program, is repealed July  
248       1, 2025.

249    ~~[(17)]~~ (18) Section 26B-3-137, Reimbursement for diabetes prevention program, is repealed  
250       June 30, 2027.

251    ~~[(18)]~~ (19) Subsection 26B-3-213(2)(b), regarding consultation with the Behavioral Health  
252       Crisis Response Committee, is repealed December 31, 2026.

253    ~~[(19)]~~ (20) Section 26B-3-302, DUR Board -- Creation and membership -- Expenses, is  
254       repealed July 1, 2027.

255    ~~[(20)]~~ (21) Section 26B-3-303, DUR Board -- Responsibilities, is repealed July 1, 2027.

256    ~~[(21)]~~ (22) Section 26B-3-304, Confidentiality of records, is repealed July 1, 2027.

257    ~~[(22)]~~ (23) Section 26B-3-305, Drug prior approval program, is repealed July 1, 2027.

258    ~~[(23)]~~ (24) Section 26B-3-306, Advisory committees, is repealed July 1, 2027.

259    ~~[(24)]~~ (25) Section 26B-3-307, Retrospective and prospective DUR, is repealed July 1, 2027.

260    ~~[(25)]~~ (26) Section 26B-3-308, Penalties, is repealed July 1, 2027.

261    ~~[(26)]~~ (27) Section 26B-3-309, Immunity, is repealed July 1, 2027.

262    ~~[(27)]~~ (28) Title 26B, Chapter 3, Part 5, Inpatient Hospital Assessment, is repealed July 1,  
263       2034.

264    ~~[(28)]~~ (29) Title 26B, Chapter 3, Part 6, Medicaid Expansion Hospital Assessment, is  
265       repealed July 1, 2034.

266    ~~[(29)]~~ (30) Title 26B, Chapter 3, Part 7, Hospital Provider Assessment, is repealed July 1,  
267       2028.

268    ~~[(30)]~~ (31) Section 26B-3-910, Alternative eligibility -- Report -- Alternative Eligibility



269 Expendable Revenue Fund, is repealed July 1, 2028.

270 [(31)] (32) Section 26B-4-710, Rural residency training program, is repealed July 1, 2025.

271 [(32)] (33) Subsection 26B-5-112(1)(b), regarding consultation with the Behavioral Health

272 Crisis Response Committee, is repealed December 31, 2026.

273 [(33)] (34) Subsection 26B-5-112(5)(b), regarding consultation with the Behavioral Health

274 Crisis Response Committee, is repealed December 31, 2026.

275 [(34)] (35) Section 26B-5-112.5, Mobile Crisis Outreach Team Grant Program, is repealed

276 December 31, 2026.

277 [(35)] (36) Section 26B-5-114, Behavioral Health Receiving Center Grant Program, is

278 repealed December 31, 2026.

279 [(36)] (37) Section 26B-5-118, Collaborative care grant program, is repealed December 31,

280 2024.

281 [(37)] (38) Section 26B-5-120, Virtual crisis outreach team grant program, is repealed

282 December 31, 2026.

283 [(38)] (39) Subsection 26B-5-609(1)(a), regarding the Behavioral Health Crisis Response

284 Committee, is repealed December 31, 2026.

285 [(39)] (40) Subsection 26B-5-609(3)(b), regarding the Behavioral Health Crisis Response

286 Committee, is repealed December 31, 2026.

287 [(40)] (41) Subsection 26B-5-610(1)(b), regarding the Behavioral Health Crisis Response

288 Committee, is repealed December 31, 2026.

289 [(41)] (42) Subsection 26B-5-610(2)(b)(ii), regarding the Behavioral Health Crisis Response

290 Committee, is repealed December 31, 2026.

291 [(42)] (43) Section 26B-5-612, Integrated behavioral health care grant programs, is repealed

292 December 31, 2025.

293 [(43)] (44) Title 26B, Chapter 5, Part 7, Utah Behavioral Health Commission, is repealed

294 July 1, 2029.

295 [(44)] (45) Subsection 26B-5-704(2)(a), regarding the Behavioral Health Crisis Response

296 Committee, is repealed December 31, 2026.

297 [(45)] (46) Subsection 26B-5-704(2)(b), regarding the Education and Mental Health

298 Coordinating Committee, is repealed December 31, 2024.

299 [(46)] (47) Title 26B, Chapter 5, Part 8, Utah Substance Use and Mental Health Advisory

300 Committee, is repealed January 1, 2033.

301 [(47)] (48) Section 26B-7-119, Hepatitis C Outreach Pilot Program, is repealed July 1, 2028.

302 [(48)] (49) Section 26B-7-122, Communication Habits to reduce Adolescent Threats Pilot

303 Program, is repealed July 1, 2029.

304 [(49)] (50) Section 26B-7-123, Report on CHAT campaign, is repealed July 1, 2029.

305 [(50)] (51) Title 26B, Chapter 8, Part 5, Utah Health Data Authority, is repealed July 1,

306 2026.

307 Section 4. Section **63I-2-259** is amended to read:

308 **63I-2-259 . Repeal dates: Title 59.**

309 (1) Subsection 59-7-610(8), regarding claiming a tax credit in the same taxable year as the

310 targeted business income tax credit, is repealed December 31, 2024.

311 (2) Subsection 59-7-614.10(5), regarding claiming a tax credit in the same taxable year as

312 the targeted business income tax credit, is repealed December 31, 2024.

313 (3) Section 59-7-624, Targeted business income tax credit, is repealed December 31, 2024.

314 (4) Subsection 59-10-210(2)(b)(vi), regarding Section 59-10-1112, is repealed December

315 31, 2024.

316 (5) Subsection 59-10-1007(8), regarding claiming a tax credit in the same taxable year as

317 the targeted business income tax credit, is repealed December 31, 2024.

318 (6) Subsection 59-10-1037(5), regarding claiming a tax credit in the same taxable year as

319 the targeted business income tax credit, is repealed December 31, 2024.

320 (7) Section 59-10-1112, Targeted business income tax credit, is repealed December 31,

321 2024.

322 (8) Subsections 59-14-807(3)(a)(iii) and (4)(b), regarding the Youth Electronic Cigarette,

323 Marijuana, and Other Drug Prevention Committee, are repealed July 1, 2030.

324 Section 1. **Effective Date.**

325 This bill takes effect on May 7, 2025.