

1                   **YOUTH ELECTRONIC CIGARETTE, MARIJUANA, AND**  
2                   **OTHER DRUG PREVENTION PROGRAM**

3                                   2020 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Chief Sponsor: Allen M. Christensen**

6                                   House Sponsor: Paul Ray

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8                   **LONG TITLE**

9                   **Committee Note:**

10                   The Health and Human Services Interim Committee recommended this bill.

11                   Legislative Vote: 11 voting for 0 voting against 6 absent

12                   **General Description:**

13                   This bill creates the Youth Electronic Cigarette, Marijuana, and Other Drug Prevention  
14 Program within the Department of Health.

15                   **Highlighted Provisions:**

16                   This bill:

17                   ▶ establishes a Youth Electronic Cigarette, Marijuana, and Other Drug Prevention  
18 Program within the Department of Health;

19                   ▶ creates a committee to advise the department on the Youth Electronic Cigarette,  
20 Marijuana, and Other Drug Prevention Program;

21                   ▶ creates the Electronic Cigarette Substance and Nicotine Product Tax Restricted  
22 Account; and

23                   ▶ establishes various reporting requirements and a sunset date.

24                   **Money Appropriated in this Bill:**

25                   None

26                   **Other Special Clauses:**

27                   None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **26-1-7**, as last amended by Laws of Utah 2017, Chapter 419

31 **63I-1-226**, as last amended by Laws of Utah 2019, Chapters 67, 136, 246, 289, 455 and  
32 last amended by Coordination Clause, Laws of Utah 2019, Chapter 246

33 ENACTS:

34 **26-7-10**, Utah Code Annotated 1953

35 **59-14-807**, Utah Code Annotated 1953



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

38 Section 1. Section **26-1-7** is amended to read:

39 **26-1-7. Committees within department.**

40 (1) There are created within the department the following committees:

- 41 (a) Health Facility Committee;
- 42 (b) State Emergency Medical Services Committee;
- 43 (c) Air Ambulance Committee;
- 44 (d) Health Data Committee;
- 45 (e) Utah Health Care Workforce Financial Assistance Program Advisory Committee;
- 46 (f) Residential Child Care Licensing Advisory Committee;
- 47 (g) Child Care Center Licensing Committee; [~~and~~]
- 48 (h) Primary Care Grant Committee[~~;~~]; and
- 49 (i) Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Committee.

50 (2) The department shall:

51 (a) consolidate advisory groups and committees with other committees or advisory  
52 groups as appropriate to create greater efficiencies and budgetary savings for the department;  
53 and

54 (b) create in writing, time-limited and subject-limited duties for the advisory groups or  
55 committees as necessary to carry out the responsibilities of the department.

56 Section 2. Section **26-7-10** is enacted to read:

57 **26-7-10. Youth Electronic Cigarette, Marijuana, and Other Drug Prevention**  
58 **Program.**

59 (1) As used in this section:

60 (a) "Committee" means the Youth Electronic Cigarette, Marijuana, and Other Drug  
61 Prevention Committee created in Section [26-1-7](#).

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

64 (c) "Restricted account" means the Electronic Cigarette Substance and Nicotine  
65 Product Tax Restricted Account created in Section [59-14-807](#).

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

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

69 (i) establish guidelines for the use of funds appropriated to the program;

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

72 (iii) subject to appropriations from the Legislature, fund initiatives to prevent use of  
73 electronic cigarettes, marijuana, and other drugs by youth.

74 (3) (a) The committee shall advise the department on:

75 (i) preventing use of electronic cigarettes, marijuana, and other drugs by youth in the  
76 state;

77 (ii) developing the guidelines described in Subsection (2)(b)(i); and

78 (iii) implementing the provisions of the program.

79 (b) The executive director shall:

80 (i) appoint members of the committee; and

81 (ii) consult with the Utah Substance Use and Mental Health Advisory Council created  
82 in Section [63M-7-301](#) when making the appointment under Subsection (3)(b)(i).

83 (c) A member of the committee may not receive compensation or benefits for the  
84 member's service on the committee, but may receive per diem and travel expenses in  
85 accordance with:

86 (i) Section [63A-3-106](#);

87 (ii) Section [63A-3-107](#); and

88 (iii) rules made by the Division of Finance under Sections [63A-3-106](#) and [63A-3-107](#).

89 (d) The department shall provide staff support to the committee.

90 (4) On or before October 31 of each year, the department shall report to:  
 91 (a) the Health and Human Services Interim Committee regarding:  
 92 (i) the use of funds appropriated to the program;  
 93 (ii) the impact and results of the program, including the effectiveness of each program  
 94 funded under Subsection (2)(b)(iii), during the previous fiscal year; and  
 95 (iii) any recommendations for legislation; and  
 96 (b) the Utah Substance Use and Mental Health Advisory Council created in Section  
 97 63M-7-301, regarding:

98 (i) the effectiveness of each program funded under Subsection (2)(b)(iii) in preventing  
 99 youth use of electronic cigarettes, marijuana, and other drugs; and  
 100 (ii) any collaborative efforts and partnerships established by the program with public  
 101 and private entities to prevent youth use of electronic cigarettes, marijuana, and other drugs.

102 Section 3. Section **59-14-807** is enacted to read:

103 **59-14-807. Electronic Cigarette Substance and Nicotine Product Tax Restricted**  
 104 **Account.**

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

107 (2) The Electronic Cigarette Substance and Nicotine Product Tax Restricted Account  
 108 consists of amounts appropriated by the Legislature.

109 Section 4. Section **63I-1-226** is amended to read:

110 **63I-1-226. Repeal dates, Title 26.**

111 (1) Section 26-1-40 is repealed July 1, 2022.

112 (2) Section 26-7-10 is repealed July 1, 2025.

113 ~~[(2)]~~ (3) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed  
 114 July 1, 2025.

115 ~~[(3)]~~ (4) Section 26-10-11 is repealed July 1, 2020.

116 ~~[(4)]~~ (5) Subsection 26-18-417(3) is repealed July 1, 2020.

117 ~~[(5)]~~ (6) Subsection 26-18-418(2), the language that states "and the Mental Health  
 118 Crisis Line Commission created in Section 63C-18-202" is repealed July 1, 2023.

119 ~~[(6) Section 26-18-419.1 is repealed December 31, 2019.]~~

120 (7) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2024.

121 (8) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1, 2024.

122 (9) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is repealed  
123 July 1, 2024.

124 (10) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1, 2024.

125 (11) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and  
126 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2023.

127 (12) Subsection 26-61a-108(2)(e)(i), related to the Native American Legislative  
128 Liaison Committee, is repealed July 1, 2022.

129 (13) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is repealed  
130 July 1, 2026.