



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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February 13, 2024

Mr. President,

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 128**, TOBACCO CESSATION AMENDMENTS, by Representative T. W. Peterson, with the following amendments:

1. *Page 2, Lines 39 through 45:*

- 39 (iv) provides the minor with access to any of the following:
40 (A) assessment;
41 {~~(B) phone counseling;~~
42 —~~(C)~~ } (B) web-based resources; or
43 {~~(D)~~ } (C) coaching through technology-based communication tools; and

44 (v) does not provide:
45 (A) any form of nicotine replacement therapy; or

2. *Page 2, Lines 46 through 53:*

- 46 (B) any other service not described in Subsection (1)(b)(iii) or (iv).
47 {~~(2) A minor may consent to and participate in tobacco and nicotine~~
cessation services
48 without:
49 —~~(a) informing the minor's parent or legal guardian that the minor intends to~~
participate
50 in a tobacco-nicotine cessation service; or
51 —~~(b) obtaining consent from the minor's parent or legal guardian to participate~~

Bill Number



HB0128S01

Action Class



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Action Code



SCRAMD

- ~~in tobacco~~
52 ~~and nicotine cessation services.~~ } (2) Consent to tobacco and nicotine cessation services executed by a minor who is or professes to be afflicted with nicotine dependence shall have the same legal effect upon the minor and the same legal obligations with regard to the giving of consent as consent given by an individual of full legal age and capacity.
(3) A person providing tobacco and nicotine cessation services shall actively encourage a minor to inform the minor's parent or guardian for support.
(4) Nothing in this section authorizes a violation of Section 53E-9-203.

53 Section 2. Section **78B-3-406** is amended to read:

Respectfully,

Michael S. Kennedy
Chair

Voting: 4-0-3

5 HB0128.SC1.wpd 2/13/24 8:52 am sanderson/SA CW1/SA