ASSEMBLY BILL No. 2381

Introduced by Assembly Member Leslie

March 10, 1989

An act to amend Section 30122 of the Revenue and Taxation Code, relating to health.

LEGISLATIVE COUNSEL'S DIGEST

AB 2381, as introduced, Leslie. Addictive substances: education.

Existing law establishes the Tobacco Tax and Health Protection Act of 1988, which was enacted by the voters as an initiative measure. This act creates the Cigarette and Tobacco Products Surtax Fund, which consists of revenues obtained pursuant to a specified surtax on cigarettes and tobacco products.

Existing law divides this fund into various accounts, with one of these accounts being the Health Education Account. The Health Education Account is permitted to be used, upon appropriation by the Legislature, only for programs for the prevention and reduction of tobacco use, primarily among children, through school and community health education programs.

This bill would permit this account to be used both for programs for the prevention and reduction of tobacco use, as well as for prevention and reduction of the use of other addictive substances.

The bill would require that, in accordance with the California Constitution, the foregoing provision be submitted to the people at the next statewide election after this bill takes effect.

The people of the State of California do enact as follows:

SECTION 1. Section 30122 of the Revenue and Taxation Code is amended to read:

30122. (a) The Cigarette and Tobacco Products Surtax Fund is hereby created in the State Treasury. The fund shall consist of all revenues deposited therein pursuant to this article. Moneys in the fund may only be appropriated for the following purposes:

1. Tobacco-related school and community health education programs.
2. Tobacco-related disease research.
3. Medical and hospital care and treatment of patients who cannot afford to pay for those services, and for whom payment will not be made through any private coverage or by any program funded in whole or in part by the federal government.
4. Programs for fire prevention; environmental conservation; protection, restoration, enhancement, and maintenance of fish, waterfowl, and wildlife habitat areas; and enhancement of state and local park and recreation purposes.

(b) The fund consists of six separate accounts, as follows:

1. The Health Education Account, which shall only be available for appropriation for programs for the prevention and reduction of tobacco use and the use of other addictive substances, primarily among children, through school and community health education programs.
2. The Hospital Services Account, which shall only be available for appropriation for payment to public and private hospitals licensed pursuant to subdivision (a) of Section 1250 of the Health and Safety Code for the treatment of hospital patients who cannot afford to pay for that treatment and for whom payment for hospital services will not be made through private coverage or by any program funded in whole or in part by the federal government.
3. The Physician Services Account, which shall only
be available for appropriation for payment to physicians
for services to patients who cannot afford to pay for those
services, and for whom payment for physician services
will not be made through private coverage or by any
program funded in whole or in part by the federal
government.

(4) The Research Account, which shall only be
available for appropriation for tobacco-related disease
research.

(5) The Public Resources Account, which shall only be
available for appropriation in equal amounts for both of
the following:
(A) Programs to protect, restore, enhance, or
maintain fish, waterfowl, and wildlife habitat on an
equally funded basis.
(B) Programs to enhance state and local park and
recreation resources.

(6) The Unallocated Account, which shall be available
for appropriation for any purpose specified in subdivision
(a).

SEC. 2. In accordance with subdivision (c) of Section
10 of Article II of the California Constitution, Section 1 of
this act shall be submitted to the people of the State of
California for their approval at the next statewide
election after this act takes effect.