

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Committee Substitute

for

Senate Bill 640

BY SENATORS TAKUBO, ROMANO, WOELFEL, STOLLINGS,

LINDSAY, UNGER, WOODRUM, AND PLYMALE

[Originating in the Committee on Health and Human

Resources; reported on March 24, 2021]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §16-9G-3, relating to the Tobacco Cessation Initiative Program; creating the
3 Tobacco Cessation Initiative Program Special Revenue Account within the State Treasury
4 to be administered by the Director of the Bureau for Public Health; and requiring reporting.

Be it enacted by the Legislature of West Virginia:

ARTICLE 9G. TOBACCO CESSATION INITIATIVE.

§16-9G-3. Special Revenue Account.

1 (a) There is hereby created the “Tobacco Cessation Initiative Program Special Revenue
2 Account” within the State Treasury to be administered by the Director of the Bureau for Public
3 Health. All moneys deposited into this special account shall be expended for the purposes set
4 forth in §16-9G-1 et seq. of this code, and are not authorized from collections but are to be made
5 only in accordance with appropriation by the Legislature, in accordance with the provisions of
6 §12-3-1 et seq. of this code, and upon fulfillment of the provisions of §11B-2-1 et seq. of this code:
7 Provided, That for the fiscal year ending June 30, 2022, expenditures are authorized from
8 collections rather than pursuant to appropriation by the Legislature. Any balance, including
9 accrued interest and other returns, remaining in the fund at the end of each fiscal year shall not
10 revert to the General Revenue Fund but shall remain in the fund and be expended as provided
11 by this section.

12 (b) Notwithstanding any provisions of §11B-2-20 of this code to the contrary, on or before
13 July 30, 2021, and the 13th day of July on subsequent years thereafter, 25 percent of any interest
14 and other return earned that may accrue on the moneys in the Revenue Shortfall Reserve Fund
15 – Part B during the next preceding fiscal year shall be transferred to the Tobacco Cessation
16 Initiative Program Special Revenue Account and expended solely for the purposes set forth in
17 this article.

18 (c) Beginning July 1, 2022, the Bureau for Public Health shall submit an annual report to
19 the Legislative Oversight Commission on Health and Human Resources Accountability, created

- 20 pursuant to §16-29E-1 *et seq.* of this code, regarding the expenditures made pursuant to §16-9G-
21 1 *et seq.* of this code this article.

NOTE: The purpose of this bill is to create the Tobacco Cessation Initiative Program Special Revenue Account.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.