

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **House Bill 4404**

BY DELEGATE BATES

[Introduced January 26, 2022; Referred to the  
Committee on Health and Human Resources then  
Finance]

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

*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, as provided in §12-3-1 et seq. of this  
 6 code, and upon fulfillment of the provisions of §11B-2-1 et seq. of this code: *Provided*, That for the  
 7 fiscal year ending June 30, 2022, expenditures are authorized from collections rather than  
 8 pursuant to appropriation by the Legislature. Any balance, including accrued interest and other  
 9 returns, remaining in the fund at the end of each fiscal year may not revert to the General Revenue  
 10 Fund but shall remain in the fund and be expended as provided by this section.

11 (b) Notwithstanding any provisions of §11B-2-20 of this code to the contrary, on or before  
 12 July 30, 2022, and July 13 on subsequent years thereafter, 25 percent of any interest and other  
 13 return earned that may accrue on the moneys in the Revenue Shortfall Reserve Fund - Part B  
 14 during the next preceding fiscal year shall be transferred to the Tobacco Cessation Initiative  
 15 Program Special Revenue Account and expended solely for the purposes set forth in this article.

NOTE: The purpose of this bill is to create the Tobacco Cessation Initiative Program Special Revenue Account within the State Treasury to be administered by the Director of the Bureau for Public Health.

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