HB0771/445466/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 771
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 8, in each instance, after "Education" insert ", in coordination with the Maryland Department of Health,"; strike beginning with "repealing" in line 6 down through "circumstances;" in line 7 and substitute "requiring that certain actions taken by the State Department of Education be taken in coordination with the Maryland Department of Health;"; in line 8, strike "certain tiers and" and substitute "at least a certain number of certain"; strike beginning with "requiring" in line 9 down through the second "data" in line 10 and substitute "requiring that a certain report submitted by the Maryland Department of Health to the Governor and the General Assembly by a certain date in certain years include, beginning in a certain year, a certain data summary and trends report on certain data; requiring the Maryland Department of Health to publish a certain data summary and trends report on certain data on or before a certain date"; and after line 17, insert:

"BY repealing and reenacting, with amendments,
        Article – Health – General
        Section 13–1004
        Annotated Code of Maryland
        (2019 Replacement Volume and 2020 Supplement)".

AMENDMENT NO. 2

On page 1 in line 22 and on page 2 in line 6, in each instance, after "Department" insert "**, IN COORDINATION WITH THE MARYLAND DEPARTMENT OF HEALTH,**".

On page 2, in lines 1 and 2, strike the brackets; in line 1, strike "may" and substitute "**, IN COORDINATION WITH THE MARYLAND DEPARTMENT OF HEALTH:**

(1)   MAY";

in line 2, strike "**SHALL**" and substitute "**; AND**

(2)   SHALL";

in line 3, strike "**ALL TIERS AND QUESTIONS IN**" and substitute "**AT LEAST FIVE QUESTIONS FROM**"; and in line 5, strike "**AND**" and substitute "**OR**".

On pages 2 and 3, strike in their entirety the lines beginning with line 31 on page 2 through line 3 on page 3, inclusive, and substitute:

"**Article – Health – General**

13–1004.

(a)   Beginning in fiscal year 2007 and in every second year thereafter, the Department shall conduct a Tobacco Study which shall measure the same factors that are set forth in § 13–1003(c) of this subtitle and use the same methodology or model that was used for the Baseline Tobacco Study.

(b)   To carry out the evaluation and surveillance functions of this subtitle, the Department may conduct any other tobacco study measuring the factors set forth in § 13–1003(c) of this subtitle and using a methodology or model that is consistent with but need not be identical to that used to conduct the Baseline Tobacco Study.

(c)   (1)   Subject to paragraphs (2) through (4) of this subsection, the Department shall contract with a higher education institution or private entity to conduct the Biennial Tobacco Study.

(2)   The Department shall issue a request for proposal to select the entity that will conduct the Biennial Tobacco Study.

(3)   The Department may contract with an entity to conduct one or more biennial tobacco studies.

(4)   The Department shall use the criteria established in § 13–1003(e)(5) of this subtitle as a guide in administering the request for proposal process.

(d)   On or before May 31 of each even–numbered fiscal year, beginning in fiscal year 2008, the Department shall submit a report to the Governor and, subject to § 2–1257 of the State Government Article, the General Assembly on **[**the**]:**

(1)   **THE** results of the Biennial Tobacco Study**; AND**

(2)   **BEGINNING IN FISCAL YEAR 2024, A STATE– AND COUNTY–LEVEL DATA SUMMARY AND TRENDS REPORT ON DATA COLLECTED UNDER § 7–420 OF THE EDUCATION ARTICLE**.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before May 31, 2023, the Maryland Department of Health shall publish a State– and county–level data summary and trends report on the data collected under § 7–420 of the Education Article, as enacted by Section 1 of this Act.".

On page 3, in line 4, strike "2." and substitute "3.".