

## Session 118 - (2009-2010)

**H 3486 General Bill, By J.E. Smith**

***Similar (H 3470, H 3584)***

**Summary:** Cigarette tax

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-625 SO AS TO IMPOSE A SURTAX ON EACH CIGARETTE IN AN AMOUNT THAT WOULD RAISE THE TOTAL TAX FOR EACH PACK OF CIGARETTES TO THAT OF THE SOUTHEASTERN AVERAGE TAX FOR EACH PACK, TO PROVIDE FOR THE CREDITING OF THE REVENUE FROM THE SURTAX TO THE SMOKING PREVENTION AND CESSATION TRUST FUND, THE DEPARTMENT OF AGRICULTURE FOR MARKETING STATE-GROWN CROPS, THE MEDICAID TRUST FUND, AND THE HEALTH CARE TRUST FUND, TO PROVIDE FOR REPORTING, PAYMENT, COLLECTION, AND ENFORCEMENT OF THE SURTAX, AND DEFINE "CIGARETTE"; TO AMEND SECTION 12-21-620, RELATING TO THE ORIGINAL CIGARETTE TAX, SO AS TO CONFORM DEFINITIONS; BY ADDING SECTION 11-11-230 SO AS TO CREATE AND ESTABLISH IN THE STATE TREASURY THE SMOKING PREVENTION AND CESSATION TRUST FUND, THE MEDICAID TRUST FUND, THE HEALTH CARE TRUST FUND, AND THE PALMETTO HEALTH CARE SAFETY NET TRUST FUND, ALL SO AS TO RECEIVE DEPOSITS OF THE REVENUES FROM THE CIGARETTE SURTAX AS SPECIFIED; TO PROVIDE FOR USE OF THE MEDICAID TRUST FUND FOR MEDICAID SERVICES TO LOW INCOME FAMILIES WITH INCOMES UP TO ONE HUNDRED PERCENT OF THE PREVAILING POVERTY LEVEL, PROVIDE FOR ADDITIONAL COVERAGE FOR THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM AND THE AGED, BLIND, AND DISABLED PROGRAM WITH ANY EXCESS FUNDS, AND TO PROVIDE FOR ANNUAL REPORTS ON THE MEDICAID TRUST FUND; BY ADDING CHAPTER 62 TO TITLE 38 SO AS TO CREATE AND ESTABLISH THE PALMETTO HEALTH CARE PREMIUM ASSISTANCE PROGRAM, TO PROVIDE FOR PREMIUM ASSISTANCE IN THE AVERAGE AMOUNT OF TWO THOUSAND DOLLARS TO AN ELIGIBLE INDIVIDUAL TOWARD THE PURCHASE OF A QUALIFYING HEALTH INSURANCE PLAN, DESCRIBING ELIGIBILITY REQUIREMENTS AND THE CERTIFICATION PROCESS, DEFINING THE QUALIFYING INDIVIDUALLY OR EMPLOYER-SPONSORED INSURANCE PLANS, AND TO PROVIDE FOR ADMINISTRATION AND REPORTING BY THE DEPARTMENT OF INSURANCE; AND BY ADDING SECTION 38-74-75 SO AS TO CREATE THE PALMETTO HEALTH CARE SAFETY NET PROGRAM, TO ESTABLISH A SELF-SUSTAINING AND FINANCIALLY INDEPENDENT PORTION OF THE PREMIUM ASSISTANCE POOL, AND TO PROVIDE FOR ELIGIBILITY REQUIREMENTS, ADMINISTRATION, AND REPORTING BY THE DEPARTMENT OF INSURANCE AND OPERATING GUIDELINES; TO PROHIBIT THE EXCESSIVE PURCHASE OF CIGARETTES FOR RESALE IN ANTICIPATION OF THE APPLICATION OF THE SURTAX; AND TO CREATE A STUDY COMMITTEE ON HEALTH CARE ACCESS AND AFFORDABILITY, TO PROVIDE FOR ITS MEMBERSHIP, AND REQUIRE A REPORT ON ITS FINDINGS AND RECOMMENDATIONS BY JANUARY 1, 2012.

**02/10/09 House Introduced and read first time HJ-10**

**02/10/09 House Referred to Committee on Ways and Means HJ-11**