

BILL ANALYSIS

C.S.H.B. 3124
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Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Texas is spending an exorbitant amount of money on health care costs that stem from the usage of tobacco products. According to the Campaign for Tobacco-Free Kids, Texas spends about \$10.29 billion dollars annually on health care expenditures caused by tobacco use, and the state's Medicaid program spends about \$2.1 billion dollars on such expenditures. In 2019, the American College Health Association's National College Health Assessment found that 25.5 percent of college students reported using e-cigarettes in the past 30 days, up from 20.9 percent in 2017. C.S.H.B. 3124 seeks to address this issue by authorizing public institutions of higher education to adopt a policy that prohibits the use of cigarettes, e-cigarettes, or other tobacco products on the institution's campus.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3124 amends the Education Code to authorize a public institution of higher education to adopt a policy prohibiting the use of a cigarette, e-cigarette, or tobacco product on the grounds of, or in any building located on, the institution's campus. The bill provides for the meaning of "cigarette" and "tobacco product" by reference to the Tax Code and for the meaning of "e-cigarette" by reference to the Health and Safety Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 3124 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the requirement in the introduced for each public institution of higher education to adopt a policy prohibiting the use of a cigarette, e-cigarette, or tobacco product on its campus' grounds or in campus buildings to an authorization for such an institution to adopt

such a policy. Additionally, the substitute omits the specification in the introduced that the tobacco products the policy must prohibit are smokable tobacco products.

The substitute omits the requirement that appeared in the introduced for each public institution of higher education to adopt the policy not later than August 1, 2024.