

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2774 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Kris Steele

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2774

By: Steele

7 PROPOSED COMMITTEE SUBSTITUTE

8
9 An Act relating to public health and safety; creating
10 the Clean Air in Restaurants Act of 2012; making
11 legislative findings; directing the State Department
12 of Health to establish certain rebate program for
13 restaurants; authorizing the Department to promulgate
14 certain rules; creating the Oklahoma Certified
15 Healthy Communities Act; directing the State
16 Department of Health to establish and maintain
17 certain certification program; creating the Oklahoma
18 Healthy Communities Advisory Committee; specifying
19 membership of certain committee; providing for the
20 development of certain criteria; specifying minimum
21 criteria; requiring the development of certain online
22 scoring system; providing for three levels of
23 certification; directing the State Department of
24 Health to promulgate certain rules; creating the
Oklahoma Certified Healthy Schools Act; directing the
State Department of Health to establish and maintain
certain certification program; creating the Oklahoma
Healthy Schools Advisory Committee; specifying
membership of certain advisory committee; providing
for three levels of certification; providing for the
development of certain criteria; specifying minimum
criteria; authorizing certain monetary rewards;
specifying use of certain funds; directing the State
Board of Health to promulgate rules; providing for
codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-1515 of Title 63, unless there
3 is created a duplication in numbering, reads as follows:

4 A. This section shall be known and may be cited as the "Clean
5 Air in Restaurants Act of 2012".

6 B. The Legislature hereby finds:

7 1. Numerous studies have found that tobacco smoke is a major
8 contributor to indoor air pollution;

9 2. Reliable studies have shown that breathing secondhand smoke
10 is a cause of disease, including lung cancer, in healthy nonsmokers.

11 At special risk are elderly people, children, people with
12 cardiovascular disease, and individuals with impaired respiratory
13 function, including asthmatics and those with obstructive airway
14 disease; and

15 3. Health hazards induced by breathing secondhand smoke include
16 lung cancer, respiratory infection, decreased exercise tolerance,
17 decreased respiratory function, bronchoconstriction, and
18 bronchospasm.

19 C. The State Department of Health is authorized to implement a
20 rebate program to reimburse restaurants for fifty percent (50%) of
21 the funds expended, minus depreciation costs, in establishing a
22 designated smoking room between March 1, 2006, and December 1, 2010.
23 The Department shall be required to use existing funding in
24

1 implementing the rebate program, and shall promulgate rules as
2 necessary to implement the provisions of such program.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 2060 of Title 63, unless there
5 is created a duplication in numbering, reads as follows:

6 A. This section shall be known and may be cited as the
7 "Oklahoma Certified Healthy Communities Act".

8 B. The State Department of Health shall establish and maintain
9 a program for the voluntary certification of communities that
10 promote wellness, encourage the adoption of healthy behaviors, and
11 establish safe and supportive environments.

12 C. There is hereby created the Oklahoma Healthy Communities
13 Advisory Committee. The advisory committee shall consist of members
14 as follows:

15 1. A representative from a statewide nonprofit and nonpartisan
16 organization that seeks to foster collaboration and encourage
17 community and legislative action, to be appointed by the Speaker of
18 the Oklahoma House of Representatives;

19 2. A representative from a statewide nonprofit and nonpartisan
20 organization that seeks to foster collaboration and encourage
21 community and legislative action, to be appointed by the President
22 Pro Tempore of the Oklahoma Senate;

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1 3. Two representatives from an organization that seeks to
2 involve communities and consumers in creating a healthier future, to
3 be appointed by the State Commissioner of Health; and

4 4. A representative from a statewide business organization, to
5 be appointed by the Governor.

6 D. The Department, in collaboration with the Oklahoma Healthy
7 Communities Advisory Committee, shall develop criteria for
8 certification. The criteria shall include, but shall not be limited
9 to:

10 1. The development and publication of educational materials
11 that promote health;

12 2. The development, implementation, and enforcement of local
13 social host policies;

14 3. The implementation of local ordinances that promote the
15 establishment of sidewalks, walking trails, and bicycle lanes;

16 4. The development of parks and recreation areas;

17 5. The establishment of community gardens;

18 6. Incentives and support for farmers' markets;

19 7. Incentives and support for community health services, such
20 as free clinics;

21 8. Incentives and support for community mental health services;
22 and

23 9. Incentives and support for improved housing, including
24 energy efficiency.

1 E. The Department, in collaboration with the Oklahoma Healthy
2 Communities Advisory Committee, shall develop an online scoring
3 system based on the criteria developed pursuant to subsection D of
4 this section. The program shall recognize three levels of
5 certification based on the online scoring system as follows:

- 6 1. Basic certification;
- 7 2. Merit certification; and
- 8 3. Excellence certification.

9 F. The State Board of Health shall promulgate rules as
10 necessary to implement the provisions of this section.

11 SECTION 3. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 2061 of Title 63, unless there
13 is created a duplication in numbering, reads as follows:

14 A. This section shall be known and may be cited as the
15 "Oklahoma Certified Healthy Schools Act".

16 B. The State Department of Health shall establish and maintain
17 a program for the voluntary certification of schools that promotes
18 wellness, encourages the adoption of healthy behaviors, and
19 establishes safe and supportive environments.

20 C. There is hereby created the Oklahoma Healthy Schools
21 Advisory Committee. The advisory committee shall consist of the
22 following members:

- 23 1. A representative from a statewide nonprofit and nonpartisan
24 organization that seeks to foster collaboration and encourage

1 community and legislative action, to be appointed by the Speaker of
2 the Oklahoma House of Representatives;

3 2. A representative from a statewide nonprofit and nonpartisan
4 organization that seeks to foster collaboration and encourage
5 community and legislative action, to be appointed by the President
6 Pro Tempore of the Oklahoma Senate;

7 3. Two representatives from an organization that seeks to
8 involve communities and consumers in creating a healthier future, to
9 be appointed by the State Commissioner of Health;

10 4. A representative from a statewide business organization, to
11 be appointed by the Governor;

12 5. A representative from a statewide association of parents,
13 teachers, and students, to be appointed by the State Superintendent
14 of Public Instruction;

15 6. A representative from a statewide association that provides
16 training and information services to school board members, to be
17 appointed by the Speaker of the Oklahoma House of Representatives;

18 7. A registered dietician, to be appointed by the President Pro
19 Tempore of the Oklahoma Senate; and

20 8. A school nutritionist, to be appointed by the Governor.

21 D. The program shall recognize three levels of certification as
22 follows:

23 1. Basic certification;

24 2. Merit certification; and

1 3. Excellence certification.

2 E. The Department, in collaboration with the Oklahoma Healthy
3 Schools Advisory Committee, shall develop criteria for
4 certification, which, at a minimum, shall include the following for
5 each level of certification:

6 1. Basic certification: The school shall meet at least two
7 criteria in each of the components of the Center for Disease Control
8 and Prevention's Coordinated School Health Program model;

9 2. Merit certification: The school shall meet at least three
10 criteria in each of the components of the Center for Disease Control
11 and Prevention's Coordinated School Health Program model; and

12 3. Excellence certification: The schools shall meet at least
13 four criteria in each of the components of the Center for Disease
14 Control and Prevention's Coordinated School Health Program model.

15 F. Subject to available funding appropriated for this purpose,
16 the Department may provide a monetary reward to schools that earn
17 certification as follows:

18 1. Basic certification: Two Thousand Five Hundred Dollars
19 (\$2,500.00);

20 2. Merit certification: Five Thousand Dollars (\$5,000.00); and

21 3. Excellence certification: Ten Thousand Dollars
22 (\$10,000.00).

23 G. Schools that obtain a reward pursuant to subsection F of
24 this section shall use the funds for the enhancement of wellness

1 activities and the promotion of healthy environments. Such
2 activities may include, but are not limited to:

- 3 1. Improving playgrounds;
- 4 2. Purchasing sports equipment; and
- 5 3. Equipping school kitchens for healthy cooking.

6 H. The Department shall develop an online application form for
7 schools seeking to become an Oklahoma Certified Healthy School.

8 I. The State Board of Health may promulgate rules as necessary
9 to implement the provisions of this section.

10 SECTION 4. This act shall become effective November 1, 2010.

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