

Sixty-first  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO.

Introduced by

Representative Berg

1 A BILL for an Act relating to the comprehensive statewide tobacco prevention and control plan;  
2 and to create and enact a new section to chapter 6-09 of the North Dakota Century Code,  
3 relating to qualified college savings plans for tobacco-free students.

### 4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 6-09 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Qualified college savings plans - Tobacco-free students.** The Bank of North Dakota  
8 shall provide a grant in the amount of one thousand dollars to any qualified college savings plan  
9 authorized by section 529 of the Internal Revenue Code provided:

10 1. The plan is opened by a resident of this state who is the parent of the beneficiary;

11 2. The beneficiary is born after August 1, 2009;

12 3. The parent of the beneficiary has contributed at least five hundred dollars to the  
13 plan;

14 4. The parent of the beneficiary agrees in writing to do all things necessary and  
15 proper to ensure that the beneficiary does not illegally purchase, possess, smoke,  
16 or use cigarettes, cigars, cigarette papers, snuff, or tobacco in any other form in  
17 which it may be utilized for smoking or chewing while under the age of eighteen;  
18 and

19 5. The parent of the beneficiary agrees in writing that if the beneficiary is convicted of  
20 violating any state law or local ordinance pertaining to the illegal purchase,  
21 possession, or use of tobacco in any form while under the age of eighteen the  
22 parent shall repay one thousand dollars to the Bank of North Dakota.

23 **SECTION 2. Tobacco prevention and control advisory committee - Development**  
24 **of comprehensive plan.** The tobacco prevention and control advisory committee shall

- 1 include, as part of the comprehensive statewide tobacco prevention and control plan, support
- 2 and funding for the provision of grants to qualified college savings plans on behalf of
- 3 beneficiaries who remain tobacco-free as provided for in section 1 of this Act.