

**FISCAL NOTE**  
**Requested by Legislative Council**  
**02/13/2013**

Amendment to: HB 1253

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill amends the smoke-free law to allow the owner, operator, manager, or other person in control of a public place or place of employment where smoking is prohibited may request from the Tobacco Prevention & Control Executive Committee the signs necessary to comply with the signage requirement.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

It is not possible to fully determine the fiscal impacts that would occur as a result of the legislation. It is not known the number of owners, operators, managers, or other persons in control of a public place or place of employment where smoking is prohibited by this Act who will request signs. It is not known how many signs may be requested per public place or place of employment. It is not known how many repeat requests may be made from the same owner/operator/manager/person in control of a public place or place of employment, necessary to comply with the signage requirements, nor the frequency of these repeat requests. The language of the bill does not address if the N.D. Center for Tobacco Prevention and Control has discretion over what kinds of signs will be provided. Additionally, the language of the bill does not address any range or limits to the mandatory fulfillment of signage requests. Presumably, the number of requests and amount of each request are unlimited, and the fiscal obligation does not sunset. The N.D. Center for Tobacco Prevention and Control Executive Committee provides templates for signs that can be printed off the Center website at [www.breathend.com](http://www.breathend.com). The Center has referred all callers to its website for these free templates.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*
- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

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