

TEXAS  **STATE**[®]
TEXAS SCHOOL SAFETY CENTER

A member of The Texas State University System

**Application for
Tobacco
Enforcement
Funding**

Funding Period:

**September 1, 2015
to
August 31, 2016**

Eligible applicants include:

- **Municipal Police Departments**
- **County Sheriff's Departments/Offices**
- **County Constable's Offices**

**Applications due
by 5pm Friday,
May 29, 2015**

ANNOUNCEMENT

Funding Available for Tobacco Enforcement Program (TEP)

In accordance with Texas Government Code §403.10 (c), Permanent Funding for Health and Tobacco Education and Enforcement, the Texas School Safety Center at Texas State University (TxSSC) on behalf of the Texas Department of State Health Services, Tobacco Prevention and Control Branch (DSHS) is soliciting applications from local law enforcement agencies for the purpose of conducting Controlled Buy/Stings and Follow-Up Controlled Buy/Stings of tobacco permitted retail outlets in respective jurisdictions for State Fiscal Year 2016. The Tobacco Enforcement Program (TEP) is a program of the TxSSC and is funded through a contract from DSHS. The estimated total amount of funds available to contract with local law enforcement agencies statewide for the funding period September 1, 2015 to August 31, 2016 is \$650,025.00.

The purpose of this funding is to enforce Subchapter H, Chapter 161 Texas Health and Safety Code, § 161.082 – Sale of cigarettes or tobacco products to persons younger than 18 years of age prohibited: Proof of age required. Enforcement of minors access to tobacco laws ensures the state’s compliance with Section 1926 of the Federal Public Health Service Act (42 U.S.C. Section 300x-26) and implementation of any regulations adopted by the United States Department of Health and Human Services.

Selected contractors providing services under this announcement will conduct On-site Controlled Buy/Stings and Follow-Up Controlled Buy/Stings involving the use of minors as decoys (i.e., “Stings”), record the Controlled Buy/Sting information on the DSHS Controlled Buy/Sting Report Form, and submit monthly activity reports to TxSSC. TxSSC will reimburse contracted law enforcement agencies \$75.00 for each completed Controlled Buy/Sting conducted.

Availability and amount of funds for FY2017 is contingent on legislature appropriations and receipt of TxSSC contract from DSHS.

APPLICATION INFORMATION
Tobacco Enforcement Program (TEP)
Fiscal Year 2016 Application Due Date is 5pm Friday, May 29, 2015

Purpose of Funds:

Texas School Safety Center (TxSSC) will make contracts to counties and municipalities to be used by local law enforcement agencies to enforce Subchapter H, Chapter 161, Texas Health and Safety Code in a manner that can reasonably be expected to reduce the extent to which cigarettes and tobacco products are illegally sold or distributed to persons who are younger than 18 years of age. TxSSC shall rely, to the fullest extent possible, on sheriffs, constables, or police departments to enforce this subchapter.

Available Funds:

An estimated total of \$650,025.00 is available statewide in FY2016 (September 1, 2015 through August 31, 2016). Contract amounts will be contingent on receipt of funds from DSHS, overall number of applications received, applicant's jurisdictional retail outlet density, and meeting DSHS' distribution goal for statewide coverage per Health and Human Services Region. Successful applications under this program will be funded using an Interlocal Cooperation Contract in accordance with the Interlocal Cooperation Act, Texas Government Code, Chapter 791.

Scope of Work:

Selected contractors providing services under this agreement will conduct On-site Controlled Buy/Stings and Follow-Up Controlled Buy/Stings involving the use of minors as decoys (i.e., "Stings"), record the Controlled Buy/Sting information on the DSHS Controlled Buy/Sting Report Form, and submit monthly activity reports to TxSSC. TxSSC will reimburse contracted law enforcement agencies \$75.00 for each completed Controlled Buy/Sting conducted. As funding permits, consideration for funding levels will be given as follows:

- **Option A** – The respective jurisdiction has over fifty (50) tobacco permitted retail outlets, contractors will be funded to conduct controlled buy/stings at a minimum of 25 percent or up to a maximum of 200 percent.
- **Option B** – The respective jurisdiction has fifty (50) or less tobacco permitted retail outlets, contractors will be funded to conduct controlled buy/stings at a minimum of 100 percent or up to a maximum of 400 percent.

Application Review Timeline:

- Applications Due to TxSSC: May 29, 2015
- Review/Negotiation Period: June 1 – June 12, 2015
- Funding Notification: July 1, 2015

Contract Initiation Timeline:

- Contracts Mailed: July 10, 2015
- Signed Contracts Due back to TxSSC: August 31, 2015*
- Contract Start Date: September 1, 2015
- Contractor Training Webinar: Late September 2015

**Contractors are responsible for ensuring they have obtained the appropriate approvals from their governing body (city council or county commissioner's court) to accept the contract funds.*

Contract Implementation:

Each contractor must begin implementation of contract provisions no later than 10 days after completion of the contractor training webinar. Failure to do so will be construed by TxSSC as the contractor's relinquishment of the contract. Any exception to this rule will require review and written approval by TxSSC.

Applying for a Contract:

To apply for a contract, law enforcement agencies shall submit the completed "Tobacco Enforcement Contract Application for Local Law Enforcement Agencies" application form to TxSSC by 5pm, Friday, May 29, 2015.

Applicants may complete the hard copy application form or complete and print a fillable pdf form that is available online at <http://www.txssc.txstate.edu/>.

Completed applications may be mailed, emailed, faxed, or hand-delivered and must be received by **5pm Friday, May 29, 2015** as follows:

Mail Applications to:

Texas School Safety Center
Attn: Chad L. Nolte
415 N. Guadalupe, #164
San Marcos, Texas 78666

Hand-Deliver Applications between the hours of 8am to 5pm to:

Chad L. Nolte
Tobacco Enforcement Program (TEP)
Texas School Safety Center
Texas State University
400 W Hopkins Street
San Marcos, TX 78666
2nd Floor, Room 202H

Email Applications to:

Chad L. Nolte
TEPtobacco@txstate.edu

Fax Applications to:*

Chad L. Nolte
Tobacco Enforcement Program (TEP)
(512) 245-1133

**Note: If faxing the application, confirm receipt of submission by calling Chad L. Nolte directly at (512) 245-9665 at time of submission.*

Ineligible Applications:

Applications will not be accepted or processed for review for the following reasons:

- Application is received past the application due date/time
- Application is not signed
- Application is incomplete

Direct all questions regarding this funding announcement or application process to:

Chad L. Nolte
Toll free: 877-304-2727
Direct: (512) 245-9665
Email: TEPtobacco@txstate.edu