



SmokeLess States Legislative Coding: A Snapshot of Tobacco Bills

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Introduction

SmokeLess States

The SmokeLess States (SLS) initiative began in 1994, to provide funding for state-level coalitions to reduce tobacco use

SLS was funded by the Robert Wood Johnson Foundation to research implications that media and policy outlets have on tobacco control

A legislative component was included to study tobacco control legislation and regulation by tracking tobacco-related bills and legislative processes

A coding system and database were developed to accomplish these tracking procedures and obtain measures of impact on tobacco control policies for SLS coalitions

A total of 17 tobacco-related categories, which encompass state tobacco legislation were identified and defined for coding purposes

Study Purpose:

- To describe the volume of tobacco-related bills, and their topic areas, which have been recently introduced in state legislatures
- To recognize different topic areas and tobacco-related legislation introduced, enacted, and coded as part of the SmokeLess States evaluation project

CODING CATEGORIES DEVELOPED FOR TOBACCO-RELATED LEGISLATION

CODE	Name and Description
AGR	Agriculture - An agricultural regulation, as well as compensating tobacco farmers for losses due to tobacco control activities
BUDG	Budget - Budget activities related to tobacco, including allocation, transfers, earmarks, and appropriations. Excludes permittees/dealers dealing with tobacco violations
SFA	Smoke-Free Air - Complete/partial bans on tobacco smoke; Provisions to strengthen or weaken existing policy (including SFA preemption)
INS	Health Insurance - Smoking cessation coverage and allowing tobacco use to be a determining factor in setting health insurance premiums, among other issues related to tobacco smoke
INV	Investment - Investments/divestments in tobacco stock
MKTG	Marketing - Price, promotion, placement, and product
MSA	Master-Settlement Agreements - Regulates, disbursts MSA funds; Amends terms of the MSA
MED	Medical - Regulates or authorizes coverage of tobacco cessation programs offered by a public health care entity
MSC	Miscellaneous - Regulates tobacco activities or mentions tobacco - but not defined by any of the other codes
PECTCP	Prevention, Education, Cessation, Tobacco Control, Research - Any bill relating to efforts to prevent or stop smoking, or tobacco control programs dealing with prevention, education, and tobacco cessation
DIST	Distribution - Regulates distribution of tobacco; deals with laws on licensing, importation, and criminalization
SMRTS	Smokers' Rights - Laws affecting a person's right to smoke
TAX	Taxation - Regulates taxes, fees, tax stamps
TORT	Tobacco Litigation - Authorizes a cause of action for tobacco-related illness, products, or use
YASTM	Youth Access Sales to Minors - Regulates sales to minors, including penalties for violating bill provisions; includes but not limited to: clerk-assisted sales, self-service displays, vending machines, product sampling, and minimum age requirements
YAPUP	Youth Access Possession, Use, and Purchase - Regulates possession, use, and/or purchase of tobacco by minors under the legal age for tobacco use
XNOTOL	Excludes No Tobacco Language - Bills that contain no mention of tobacco and are not related to tobacco, which are to be excluded from the database

Methods

DATA COLLECTION AND ANALYSES

Tobacco-related bills considered in the U.S. Congress from January 2002 to December 2003 were downloaded via StateNet and Westlaw

A search of all tobacco-related bill versions was performed using the following language as search terms: "tobacco, smok master settlement, and cigar" (all extensions of "smok" and "cigar" were used)

A database was created to capture the total number of tobacco-related bills introduced by states during this time period

SLS evaluation researchers used 17 developed coding categories, with well-defined criteria, to code tobacco legislation from 50 states for all identified bill versions

26 samples of bills were coded, with 20 tobacco-related bills per sample, among 5 researchers to validate the developed coding scheme and assess coding reliability

Descriptive analyses were used to determine the numbers of tobacco-related bill versions for each coding category and state

A SAS program was used to generate Cohen's Kappa to measure the proportion of agreement among raters beyond that expected by chance

MEASURES

Total number of tobacco-related bill versions per coding category

Total number of tobacco-related bill versions per state

Cohen's Kappa for percent agreement to measure cumulative inter-rater reliability among 5 researchers for 26 coding samples

Cohen's Kappa for percent agreement to measure cumulative inter-rater reliability among 5 researchers for each coding category

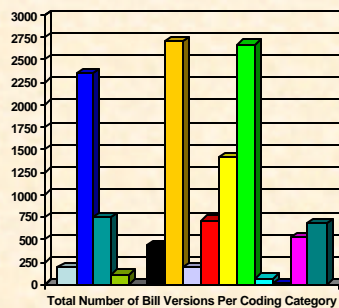
Results

A total of 12,616 tobacco-related bill versions were identified for the 17 coding categories from 50 states

Of the total number of bill versions: 3,265 were in the 'XNOTL' category (excluded because of no tobacco language) and 2,061 were coded as 'MISC' (miscellaneous tobacco-related bills not included in defined coding categories)

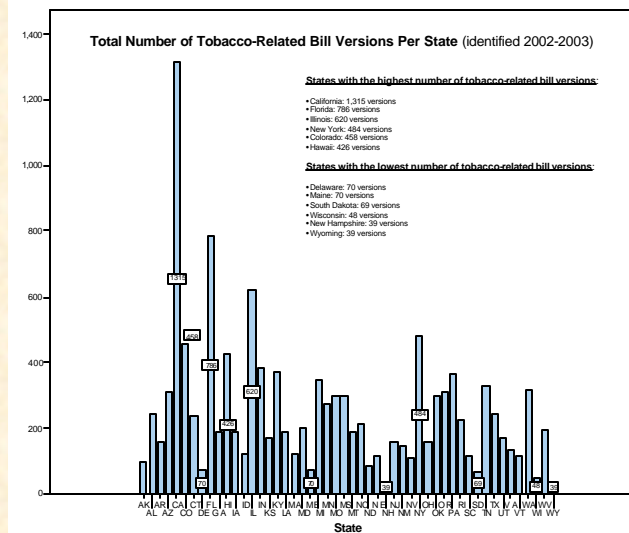
Of the 15 specific coding categories, 'MSA', 'TAX', and 'BUDGET' had the highest number of tobacco-related bill versions and 'INV', 'SMRTS' and 'TORT' had the lowest number of tobacco-related bill versions:

- MSA - 2,708 versions (21.4%)
- TAX - 2,675 versions (21.2%)
- BUDGET - 2,353 versions (18.6%)
- TORT - 71 versions (0.5%)
- SMRTS - 23 versions (0.2%)
- INV - 7 versions (0.1%)



- AGR
- BUDGET
- SFA
- INS
- INV
- MKTG
- MSA
- MEDICAID
- DIST
- PECTCP
- TAX
- TORT
- SMRTS
- YAPUP
- YASTM

Results



States with the highest number of tobacco-related bill versions:

- California: 1,315 versions
- Florida: 788 versions
- Illinois: 620 versions
- New York: 484 versions
- Colorado: 458 versions
- Texas: 420 versions

States with the lowest number of tobacco-related bill versions:

- Delaware: 70 versions
- Maine: 70 versions
- South Dakota: 69 versions
- Wisconsin: 48 versions
- New Hampshire: 39 versions
- Wyoming: 39 versions

KAPPA - Measures the proportion of agreement beyond that expected by chance; the range of possible kappa values ranges from -1 to 1, but typically falls between 0 and 1

- ✓ 1.00 = perfect agreement, indicating that the raters agree in every case
- ✓ 0 = agreement no better than that expected by chance
- ✓ < 0 = agreement worse than expected by chance

KAPPA Values	Strength of Agreement (general standard)
≤ 0	POOR
.01 - .20	SLIGHT
.21 - .40	FAIR
.41 - .60	MODERATE
.61 - .80	SUBSTANTIAL
.81 - 1.00	ALMOST PERFECT

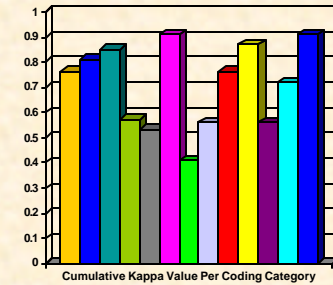
Cumulative kappa was .83 among researchers, indicating "almost perfect agreement" for 26 coding samples, which included 520 bill versions

Cumulative kappa was calculated and reported for each coding category with 100 or more bill versions coded (kappa was not reported for INV, TORT, and SMRTS due to the confounding effect of low numbers of bill versions for these categories)

'MSA' (.91), 'XNOTL' (.91), 'TAX' (.87), 'SEA' (.85), and 'BUDGET' (.81) were the coding categories with the highest cumulative kappa values

'MEDICAID' (.41), 'MISC' (.53), 'MKTG' (.53), 'DIST' (.58), and 'YAPUP' (.56) were the coding categories with the highest cumulative kappa values

Results



*NOTE: INV, TORT, and SMRTS have < 100 identified versions and are excluded from this comparison

Discussion

Over 60% of tobacco-related bill versions introduced for consideration in 50 State legislatures from 2002 and 2003 were associated with 'MSA', 'TAX', and 'BUDGET' coding categories

Bill versions related to 'INV', 'TORT', and 'SMRTS' represented less than 1% of total tobacco-related bill versions coded (these categories were subsequently excluded from kappa analyses)

The 6 states with the highest numbers of tobacco-related versions represented approximately 1/3rd of all identified bill versions among 50 states for 2002-2003

Kappa values showed that the proportion of agreement among raters was better than expected by chance for all coding categories included in analyses

Kappa analyses reported proportions of agreement between moderate to almost perfect agreement for the 14 coding categories included

Of these 14 coding categories:

- 43% reported 'MODERATE' agreement
- 21% reported 'SUBSTANTIAL' agreement
- 36% reported 'ALMOST PERFECT' agreement

Conclusion

Tobacco-related legislation can be identified, tracked, and targeted to help focus efforts and resources among policy advocates and coalitions