

**TEXAS**  **STATE**  
**TEXAS SCHOOL SAFETY CENTER**®

A member of The Texas State University System

**Application for  
Tobacco and  
E-cigarette  
Enforcement  
Funding**

**Funding Period:**

**September 1, 2017  
to  
August 31, 2018**

**Eligible applicants include:**

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

**Applications due  
by 5pm Friday,  
May 26, 2017**

**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 26, 2017.

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/about/programs/tep/>

Completed applications may be mailed, emailed, faxed, or hand-delivered and must be received by **5pm Friday, May 26, 2017** as follows:

**Mail Applications to:**

Texas School Safety Center  
Attn: Alexia Cox  
415 N. Guadalupe, #164  
San Marcos, Texas 78666

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

Alexia Cox  
Tobacco Enforcement Program (TEP)  
Texas School Safety Center  
Texas State University  
400 W Hopkins Street  
San Marcos, TX 78666  
2<sup>nd</sup> Floor, Room 202H

**Email Applications to:**

Alexia Cox  
TEPtobacco@txstate.edu

**Fax Applications to: \***

Alexia Cox  
Tobacco Enforcement Program (TEP)  
(512) 245-1133

*\*Note: If faxing the application, confirm receipt of submission by calling Alexia Cox directly at (512) 245-7230 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:

**Alexia Cox**  
**Toll free: (877) 304-2727**  
**Direct: (512) 245-7230**  
**Email: TEPtobacco@txstate.edu**

**APPLICATION INFORMATION**  
**Tobacco Enforcement Program (TEP)**  
Fiscal Year 2018 Application Due Date is 5pm Friday, May 26, 2017

**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, E-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. Contract amounts will be contingent on the overall number of applications received, applicant's jurisdictional retail outlet density, and meeting DSHS' distribution goal for statewide coverage per Health and Human Services Regions. 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 Cigarette, E-cigarette, and Tobacco 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 & E-cigarette 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 & E-cigarette 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.

**Projected Application Review Timeline:**

- Applications Due to TxSSC: May 26, 2017
- Review/Negotiation Period: May 26 – June 30, 2017
- Funding Notification: July 15, 2017

**Projected Contract Initiation Timeline:**

- Contracts Mailed: July 28, 2017
- Signed Contracts Due back to TxSSC: August 28, 2017\*
- Contract Start Date: September 1, 2017
- Contractor Training Webinar: Late September 2017

*\*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 for implementation of contracted services on contract start date.*

**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.

## **ANNOUNCEMENT**

### **Funding Available for Tobacco Enforcement Program (TEP)**

In accordance with Texas Government Code §403.105 (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 & e-cigarette retail outlets in respective jurisdictions for State Fiscal Year 2018. The funding period for this contract is September 1, 2017 to August 31, 2018.

The purpose of this funding is to enforce Subchapter H, Chapter 161 Texas Health and Safety Code, § 161.082 – Sale of cigarettes, e-cigarette, 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 Cigarette, E-cigarette, and Tobacco 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 FY2018 is contingent on legislature appropriations and receipt of contract from DSHS.**

**From The Desk Of:**



**303 Texas Parkway, Suite #124 – Missouri city, Texas 77459**

**Office: 281-403-8031**

**Date: March 19, 2017**

**Attn: Alexia Cox**

**Re: TEP Application**

**Questions/Answer**

5. The list of zip codes in our jurisdictional boundaries are as follows; 77083, 77459, 77477, 77053, 77489 and 77545.
6. Agencies that we have existing IA or MOU are as follows:
  - A. Fort Bend SO (Formal)
  - B. Missouri City PD (Informal)
  - C. Stafford PD (Informal)
  - D. Sugarland PD (Informal)
  - E. Arcola PD (Informal)
  - F. Houston PD (Formal)
7. Our agency will implement this contract by conducting buy/stings to enforce the Health and Safety Code by insuring permit holders are following the rules under this code by inspections and education as well.

# Tobacco and E-Cigarette Enforcement Contract Application for Local Law Enforcement Agencies

Please indicate if you are:  County Sheriff  Constable  Municipal Chief of Police

Fiscal Year 2018 September 1, 2017 through August 31, 2018

*\*If approved, the Authorized Representative information will be used for the Interlocal Cooperation Contract*

Name of Applicant Organization <b>Fort Bend County</b>		Federal Employer Identification Number (FEIN) 7 4 - 6 0 0 1 9 6 9	
Authorized Representative First Name <b>Joe</b>	Authorized Representative Last Name <b>Lee</b>	Authorized Representative Middle Initial <b>F.</b>	Authorized Representative Title <b>Captain</b>
Mailing address <b>Constable Precinct 2 - 301 Jackson Street</b>		City <b>Richmond</b>	State <b>Texas</b>
County <b>Fort Bend</b>		ZIP code 7 7 4 6 9 - 3 1 0 8	
Phone (Area code and number) (2 8 1) 4 0 3 - 8 0 3 1		FAX number (Area code and number) (2 8 1) 4 0 3 - 8 0 3 3	
E-mail address <b>joe.lee@fortbendcountytexas.gov</b>			

1. Agency official with authority to negotiate contract terms:

Contact Information (if different from above)	<b>Robert E. Hebert</b>	<b>County Judge</b>
	<small>Name</small>	<small>Title</small>
<b>301 Jackson Street</b>	<b>Richmond</b>	<b>Texas 77469</b>
<small>Address</small>	<small>City</small>	<small>State</small> <small>ZIP code</small>
<b>281-341-8608</b>	<b>281-341-8609</b>	<b>county.judge@fortbendcountytexas.gov</b>
<small>Phone</small>	<small>FAX</small>	<small>E-mail</small>

2. What is the approximate number of tobacco permitted and E-Cigarette retail outlets in your jurisdiction? ..... 100
3. Select the appropriate funding option: (refer to application information)..... Option A  Option B
4. Indicate the number of tobacco permitted and E-Cigarette retail outlets in your jurisdiction at which you plan to conduct Controlled Buy/Stings during FY18..... 100

**Please Answer Items 5 - 7 on a separate sheet of paper and attach to this application form.**

5. Provide a list of ZIP codes included in your full jurisdictional boundaries - (Note: If a ZIP code is not wholly included within that boundary, please estimate the percentage that is in your jurisdiction.)
6. Provide a list of agencies with whom your agency has an existing Interagency Agreement or Memorandum of Understanding/Agreement (formal or informal) that may restrict your agency's ability to provide full enforcement capabilities within jurisdictional boundaries - (Example: A Sheriff's Office or Constable's Office that does not enforce laws within the corporate city limits of a town or municipality in their county or precinct)
7. Explain your agency's plan to implement this contract and how it will support and enforce Health and Safety Code, Chapter 161.082.

<b>Certification Section: To the best of my knowledge, information in this application and any attachments is true and correct. The document has been duly authorized by the applicant.</b>	
Typed name and title	
<b>Robert E. Hebert</b>	<b>County Judge</b>
<b>sign here</b> ▶	Date