

U.S.C. 1395 et seq.] and the program established in title XIX of such Act [42 U.S.C. 1396 et seq.]; or

(B) by an entity that provides health services on a prepaid basis.

**(d) Applicability of certain provision**

Section 300x-31 of this title applies to this section (and to each other provision of this subpart).

(July 1, 1944, ch. 373, title XIX, §1924, as added Pub. L. 102-321, title II, §202, July 10, 1992, 106 Stat. 391; amended Pub. L. 114-255, div. B, title VIII, §8002(c), Dec. 13, 2016, 130 Stat. 1229.)

**Editorial Notes**

REFERENCES IN TEXT

Section 300x-1a of this title, referred to in subsec. (b)(4)(A)(ii), was repealed by Pub. L. 102-321, title II, §201(2), July 10, 1992, 106 Stat. 378.

Section 300x-4 of this title, referred to in subsec. (b)(4)(A)(ii), was in the original a reference to section 1916 of act July 1, 1944, which was repealed by Pub. L. 102-321, title II, §201(2), July 10, 1992, 106 Stat. 378. Section 201(2) of Pub. L. 102-321 enacted new sections 1915 and 1916 of act July 1, 1944, which are classified to sections 300x-4 and 300x-5, respectively, of this title.

The Social Security Act, referred to in subsec. (c)(2)(A), is act Aug. 14, 1935, ch. 531, 49 Stat. 620. Titles XVIII and XIX of the Act are classified generally to subchapters XVIII (§1395 et seq.) and XIX (§1396 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see section 1305 of this title and Tables.

PRIOR PROVISIONS

A prior section 1924 of act July 1, 1944, was classified to section 300x-10 of this title prior to repeal by Pub. L. 102-321.

Another prior section 1924 of act July 1, 1944, was classified to section 300y-3 of this title prior to repeal by Pub. L. 99-280.

AMENDMENTS

2016—Subsec. (a)(1). Pub. L. 114-255, §8002(c)(1)(A), substituted “substance use disorders” for “substance abuse” in introductory provisions.

Subsec. (a)(1)(A). Pub. L. 114-255, §8002(c)(1)(B), substituted “such disorders” for “such abuse”.

Subsec. (b)(1)(A). Pub. L. 114-255, §8002(c)(2)(A), substituted “substance use disorders” for “substance abuse”.

Subsec. (b)(2). Pub. L. 114-255, §8002(c)(2)(B), inserted “and Prevention” after “Disease Control”.

Subsec. (b)(3). Pub. L. 114-255, §8002(c)(2)(C), substituted “use disorders” for “abuse” in heading and “substance use disorders” for “substance abuse” in text.

Subsec. (b)(6)(B). Pub. L. 114-255, §8002(c)(2)(D), substituted “substance use disorders” for “substance abuse”.

Subsecs. (d), (e). Pub. L. 114-255, §8002(c)(3), (4), redesignated subsec. (e) as (d) and struck out former subsec. (d). Prior to amendment, text of subsec. (d) read as follows: “With respect to services provided for by a State for purposes of compliance with this section, a funding agreement for a grant under section 300x-21 of this title is that the State will maintain expenditures of non-Federal amounts for such services at a level that is not less than average level of such expenditures maintained by the State for 2-year period preceding the first fiscal year for which the State receives such a grant.”

**Statutory Notes and Related Subsidiaries**

CHANGE OF NAME

Centers for Disease Control changed to Centers for Disease Control and Prevention by Pub. L. 102-531, title III, §312, Oct. 27, 1992, 106 Stat. 3504.

**§ 300x-25. Group homes for persons in recovery from substance use disorders**

**(a) State revolving funds for establishment of homes**

A State, using funds available under section 300x-21 of this title, may establish and maintain the ongoing operation of a revolving fund in accordance with this section to support group homes for persons in recovery from substance use disorders as follows:

(1) The purpose of the fund is to make loans for the costs of establishing programs for the provision of housing in which individuals recovering from alcohol or other substance use disorders may reside in groups of not less than 6 individuals. The fund is established directly by the State or through the provision of a grant or contract to a nonprofit private entity.

(2) The programs are carried out in accordance with guidelines issued under subsection (b).

(3) Not less than \$100,000 is available for the fund.

(4) Loans made from the revolving fund do not exceed \$4,000 and each such loan is repaid to the revolving fund by the residents of the housing involved not later than 2 years after the date on which the loan is made.

(5) Each such loan is repaid by such residents through monthly installments, and a reasonable penalty is assessed for each failure to pay such periodic installments by the date specified in the loan agreement involved.

(6) Such loans are made only to nonprofit private entities agreeing that, in the operation of the program established pursuant to the loan—

(A) the use of alcohol or any illegal drug in the housing provided by the program will be prohibited;

(B) any resident of the housing who violates such prohibition will be expelled from the housing;

(C) the costs of the housing, including fees for rent and utilities, will be paid by the residents of the housing; and

(D) the residents of the housing will, through a majority vote of the residents, otherwise establish policies governing residence in the housing, including the manner in which applications for residence in the housing are approved.

**(b) Issuance by Secretary of guidelines**

The Secretary shall ensure that there are in effect guidelines under this subpart for the operation of programs described in subsection (a).

**(c) Applicability to territories**

The requirements established in subsection (a) shall not apply to any territory of the United States other than the Commonwealth of Puerto Rico.

(July 1, 1944, ch. 373, title XIX, §1925, as added Pub. L. 102-321, title II, §202, July 10, 1992, 106 Stat. 393; amended Pub. L. 106-310, div. B, title XXXIII, §3303(b), Oct. 17, 2000, 114 Stat. 1210; Pub. L. 114-255, div. B, title VIII, §8002(d), Dec. 13, 2016, 130 Stat. 1230; Pub. L. 117-328, div. FF, title I, §1241(a)(5), Dec. 29, 2022, 136 Stat. 5677.)

**Editorial Notes****PRIOR PROVISIONS**

A prior section 1925 of act July 1, 1944, was classified to section 300x-11 of this title prior to repeal by Pub. L. 102-321.

Another prior section 1925 of act July 1, 1944, was classified to section 300y-4 of this title prior to repeal by Pub. L. 99-280.

**AMENDMENTS**

2022—Subsec. (a)(1). Pub. L. 117-328 substituted “alcohol or other substance use disorders” for “alcohol or drug abuse”.

2016—Pub. L. 114-255, §8002(d)(1), substituted “persons in recovery from substance use disorders” for “recovering substance abusers” in section catchline.

Subsec. (a). Pub. L. 114-255, §8002(d)(2), substituted “persons in recovery from substance use disorders” for “recovering substance abusers” in introductory provisions.

2000—Subsec. (a). Pub. L. 106-310, in introductory provisions, substituted “A State, using funds available under section 300x-21 of this title, may establish and maintain the ongoing operation of a revolving fund in accordance with this section to support group homes for recovering substance abusers as follows:” for “For fiscal year 1993 and subsequent fiscal years, the Secretary may make a grant under section 300x-21 of this title only if the State involved has established, and is providing for the ongoing operation of, a revolving fund as follows:”.

**§ 300x-26. Sale of tobacco products to individuals under age of 21****(a) In general**

A funding agreement for a grant under section 300x-21 of this title is that the State involved will—

(1) annually conduct random, unannounced inspections to ensure that retailers do not sell tobacco products to individuals under the age of 21; and

(2) annually submit to the Secretary a report describing—

(A) the activities carried out by the State to ensure that retailers do not sell tobacco products to individuals under the age of 21;

(B) the extent of success the State has achieved in ensuring that retailers do not sell tobacco products to individuals under the age of 21; and

(C) the strategies to be utilized by the State to ensure that retailers do not sell tobacco products to individuals under the age of 21 during the fiscal year for which the grant is sought.

**(b) Noncompliance of State****(1) In general**

Before making a grant under section 300x-21 of this title to a State, the Secretary shall make a determination of whether the State has maintained compliance with subsection (a). If, after notice to the State and an opportunity for a hearing, the Secretary determines that the State is not in compliance with such subsections, the Secretary shall reduce the amount of the allotment under such section for the State for the fiscal year involved by an amount up to 10 percent of the amount determined under section 300x-33 of this title for the State for the applicable fiscal year.

**(2) Limitation****(A) In general**

A State shall not have funds withheld pursuant to paragraph (1) if such State for which the Secretary has made a determination of noncompliance under such paragraph—

(i) certifies to the Secretary by May 1 of the fiscal year for which the funds are appropriated, consistent with subparagraph (B), that the State will commit additional State funds, in accordance with paragraph (1), to ensure that retailers do not sell tobacco products to individuals under 21 years of age;

(ii) agrees to comply with a negotiated agreement for a corrective action plan that is approved by the Secretary and carried out in accordance with guidelines issued by the Secretary; or

(iii) is a territory that receives less than \$1,000,000 for a fiscal year under section 300x-21 of this title.

**(B) Certification****(i) In general**

The amount of funds to be committed by a State pursuant to subparagraph (A)(i) shall be equal to 1 percent of such State's allocation determined under section 300x-33 of this title for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary.

**(ii) State expenditures**

For a fiscal year in which a State commits funds as described in clause (i), such State shall maintain State expenditures for tobacco prevention programs and for compliance activities at a level that is not less than the level of such expenditures maintained by the State for the preceding fiscal year, plus the additional funds for tobacco compliance activities required under clause (i). The State shall submit a report to the Secretary on all State obligations of funds for such fiscal year and all State expenditures for the preceding fiscal year for tobacco prevention and compliance activities by program activity by July 31 of such fiscal year.

**(iii) Discretion**

The Secretary shall exercise discretion in enforcing the timing of the State obligation of the additional funds required by the certification described in subparagraph (A)(i) as late as July 31 of such fiscal year.

**(C) Failure to certify**

If a State described in subparagraph (A) fails to certify to the Secretary pursuant to subparagraph (A)(i) or enter into, or comply with, a negotiated agreement under subparagraph (A)(ii), the Secretary may take action pursuant to paragraph (1).

**(c) Implementation of reporting requirements****(1) Transition period**

The Secretary shall—