

A-Engrossed
House Bill 2143

Ordered by the House February 14
Including House Amendments dated February 14

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Attorney General Hardy Myers for Department of Justice)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Modifies biennial transfer from Tobacco Settlement Funds Account to Tobacco Enforcement Fund. Provides that amount transferred each biennium be equal to Department of Justice's estimated costs of enforcing certain tobacco-related laws. Requires transfer on July 1 of odd-numbered year instead of June 1 of odd-numbered year.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to tobacco settlement funds; creating new provisions; amending ORS 293.537; and declaring
3 an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 293.537 is amended to read:

6 293.537. (1) The Tobacco Settlement Funds Account is established as an account in the General
7 Fund. Except as provided in section 2, chapter 11, Oregon Laws 2003, the account shall consist of
8 all moneys paid to this state under the Master Settlement Agreement of 1998.

9 **(2) Before July 1 of each odd-numbered year, the Department of Justice shall submit for**
10 **approval to the Oregon Department of Administrative Services the estimated costs that will**
11 **be incurred by the Department of Justice in the subsequent biennium in enforcing the pro-**
12 **visions of ORS 180.400 to 180.455, 323.106 and 323.806.** On *[June]* July 1 of each odd-numbered
13 year, *[the sum of \$700,000]* **a sum equal to the amount approved by the Oregon Department of**
14 **Administrative Services** shall be transferred from the Tobacco Settlement Funds Account to the
15 Tobacco Enforcement Fund established under ORS 180.205.

16 (3) Except as provided in subsection (2) of this section, all moneys in the Tobacco Settlement
17 Funds Account are continuously appropriated to the Oregon Department of Administrative Services
18 to be expended as directed by the Legislative Assembly.

19 (4) All moneys in the Tobacco Settlement Funds Account shall be invested as provided in ORS
20 293.701 to 293.790.

21 **SECTION 2.** (1) **Notwithstanding the amendments to ORS 293.537 by section 1 of this 2007**
22 **Act, if this 2007 Act becomes effective before June 1, 2007, the sum of \$700,000 shall be**
23 **transferred from the Tobacco Settlement Funds Account to the Tobacco Enforcement Fund**
24 **established under ORS 180.205 on June 1, 2007, as provided under ORS 293.537 as it was in**
25 **effect immediately before the effective date of this 2007 Act.**

26 **(2) Notwithstanding ORS 293.537, as amended by section 1 of this 2007 Act, if this 2007**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 Act becomes effective on or after July 1, 2007, the Department of Justice shall submit for
2 approval to the Oregon Department of Administrative Services as soon as possible after the
3 effective date of this 2007 Act the estimated costs that will be incurred by the Department
4 of Justice during the 2007-2009 biennium in enforcing the provisions of ORS 180.400 to 180.455,
5 323.106 and 323.806. As soon as possible after the estimate is submitted, a sum equal to the
6 amount approved by the Oregon Department of Administrative Services for the 2007-2009
7 biennium shall be transferred from the Tobacco Settlement Funds Account to the Tobacco
8 Enforcement Fund established under ORS 180.205.

9 SECTION 3. This 2007 Act being necessary for the immediate preservation of the public
10 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
11 on its passage.

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