

B-Engrossed
House Bill 2143

Ordered by the House June 21
Including House Amendments dated February 14 and June 21

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. **Provides that department may request transfer of additional amount during biennium.**

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. If the Department of Justice deter-**
16 **mines during a biennium that it needs funds for purposes described in this subsection in**
17 **addition to the amount approved by the Oregon Department of Administrative Services, the**
18 **Department of Justice may request transfer of additional moneys from the Tobacco Settle-**
19 **ment Funds Account and the additional amount approved by the Oregon Department of Ad-**
20 **ministrative Services shall be transferred to the Tobacco Enforcement Fund.**

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

24 (4) All moneys in the Tobacco Settlement Funds Account shall be invested as provided in ORS
25 293.701 to 293.790.

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 **SECTION 2.** Notwithstanding ORS 293.537, 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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