

A-Engrossed
House Bill 2136

Ordered by the House April 17
Including House Amendments dated April 17

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Health Care)

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.

Directs that portion of moneys received under Master Settlement Agreement be transferred to specified bond funds to pay certain bond expenses of Oregon Health and Science University.

Directs that **portion** of moneys received under Master Settlement Agreement be [*distributed*] **transferred** to Oregon Health Authority Fund and to Tobacco Use Reduction Account.

Continuously appropriates moneys deposited in Oregon Health Authority Fund for health care initiatives.

Applies to moneys received by state under Master Settlement Agreement after January 1, 2014.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to distribution of Master Settlement Agreement funds; creating new provisions; amending
3 ORS 293.537; appropriating money; and declaring 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 approval
10 to the Oregon Department of Administrative Services the estimated costs that will be incurred by
11 the Department of Justice in the subsequent biennium in enforcing the provisions of ORS 180.400
12 to 180.455, 323.106 and 323.806. On July 1 of each odd-numbered year, a sum equal to the amount
13 approved by the Oregon Department of Administrative Services shall be transferred from the To-
14 bacco Settlement Funds Account to the Tobacco Enforcement Fund established under ORS 180.205.
15 If the Department of Justice determines during a biennium that it needs funds for purposes described
16 in this subsection in addition to the amount approved by the Oregon Department of Administrative
17 Services, the Department of Justice may request transfer of additional moneys from the Tobacco
18 Settlement Funds Account and the additional amount approved by the Oregon Department of Ad-
19 ministrative Services shall be transferred to the Tobacco Enforcement Fund.

20 **(3) Before July 1 of each odd-numbered year, the Oregon Department of Administrative**
21 **Services, as directed by the State Treasurer, shall determine the amounts that are required**
22 **to be transferred to the Oregon Opportunity Fund, the Oregon Health and Science University**
23 **Bond Fund and the Oregon Health and Science University Bond Administrative Fund in the**

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 subsequent biennium for the purposes described in sections 12, 14 and 16, chapter 921, Oregon
2 Laws 2001. On July 1 of each odd-numbered year, an amount equal to the amount determined
3 by the Oregon Department of Administrative Services shall be transferred from the Tobacco
4 Settlement Funds Account to the Oregon Opportunity Fund, the Oregon Health and Science
5 University Bond Fund and the Oregon Health and Science University Bond Administrative
6 Fund described in sections 12, 14 and 16, chapter 921, Oregon Laws 2001.

7 [(3)] (4) Except as provided in [subsection (2)] subsections (2) and (3) of this section, all moneys
8 in the Tobacco Settlement Funds Account are continuously appropriated to the Oregon Department
9 of Administrative Services [to be expended as directed by the Legislative Assembly].

10 (5) Following the transfers of moneys described in subsections (2) and (3) of this section,
11 the Oregon Department of Administrative Services shall transfer the remaining moneys in
12 the Tobacco Settlement Funds Account as follows:

13 (a) Ninety percent of the moneys paid each calendar year to this state under the Master
14 Settlement Agreement of 1998 shall be transferred to the Oregon Health Authority Fund es-
15 tablished under ORS 413.101 and credited to an account within the fund designated by the
16 Oregon Health Authority. Moneys in the account are continuously appropriated to the au-
17 thority for the purpose of funding health care initiatives.

18 (b) Ten percent of the moneys paid each calendar year to this state under the Master
19 Settlement Agreement of 1998 shall be transferred to the Tobacco Use Reduction Account
20 established under ORS 431.832.

21 [(4)] (6) All moneys in the Tobacco Settlement Funds Account shall be invested as provided in
22 ORS 293.701 to 293.790.

23 **SECTION 2.** The amendments to ORS 293.537 by section 1 of this 2013 Act apply to mon-
24 eys received by this state under the Master Settlement Agreement of 1998 on or after Jan-
25 uary 1, 2014.

26 **SECTION 3.** This 2013 Act being necessary for the immediate preservation of the public
27 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
28 on its passage.