

House Bill 2136

Introduced and printed pursuant to House Rule 12.00. Presession 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 **as introduced**.

Directs that moneys received under Master Settlement Agreement be distributed 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 180.205 and 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 the
11 Department of Justice in the subsequent biennium in enforcing the provisions of ORS 180.400 to
12 180.455, 323.106 and 323.806. On July 1 of each odd-numbered year, a sum equal to the amount ap-
13 proved by the Oregon Department of Administrative Services shall be transferred from the Tobacco
14 Settlement Funds Account to the Tobacco Enforcement Fund established under ORS 180.205. If the
15 Department of Justice determines during a biennium that it needs funds for purposes described in this
16 subsection in addition to the amount approved by the Oregon Department of Administrative Services,
17 the Department of Justice may request transfer of additional moneys from the Tobacco Settlement
18 Funds Account and the additional amount approved by the Oregon Department of Administrative
19 Services shall be transferred to the Tobacco Enforcement Fund.]*

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

23 **(2) Moneys in the Tobacco Settlement Funds Account are distributed as follows:**

24 **(a) Ninety percent of the moneys paid annually to this state under the Master Settlement**
25 **Agreement shall be deposited into the Oregon Health Authority Fund and credited to an ac-**
26 **count designated by the Oregon Health Authority. Moneys deposited are appropriated con-**
27 **tinuously to the authority and shall be used only for the purpose of health care initiatives.**

28 **(b) Ten percent of the moneys paid annually to this state under the Master Settlement**

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 **Agreement shall be transferred to the Tobacco Use Reduction Account established under**
2 **ORS 431.832.**

3 [(4)] (3) All moneys in the Tobacco Settlement Funds Account shall be invested as provided in
4 ORS 293.701 to 293.790.

5 **SECTION 2.** ORS 180.205 is amended to read:

6 180.205. (1) The Tobacco Enforcement Fund is established separate and distinct from the General
7 Fund. The Tobacco Enforcement Fund shall consist of[:]

8 [(a)] moneys deposited into the fund under ORS 180.450 and 180.491.[: and]

9 [(b) *Moneys transferred to the fund under ORS 293.537.*]

10 (2) Moneys in the Tobacco Enforcement Fund are continuously appropriated to the Department
11 of Justice for the purpose of enforcing the provisions of ORS 180.400 to 180.455, 180.465 to 180.494,
12 323.106, 323.806 and 323.810 to 323.816. Moneys in the fund are not subject to allotment under ORS
13 291.234 to 291.260.

14 **SECTION 3.** The amendments to ORS 180.205 and 293.537 by sections 1 and 2 of this 2013
15 Act apply to moneys received by the state under the Master Settlement Agreement after
16 January 1, 2014.

17 **SECTION 4.** This 2013 Act being necessary for the immediate preservation of the public
18 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
19 on its passage.