

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2136**

1 On page 1 of the printed bill, delete lines 5 through 28 and delete page  
2 2 and insert:

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

4 “293.537. (1) The Tobacco Settlement Funds Account is established as an  
5 account in the General Fund. Except as provided in section 2, chapter 11,  
6 Oregon Laws 2003, the account shall consist of all moneys paid to this state  
7 under the Master Settlement Agreement of 1998.

8 “(2) Before July 1 of each odd-numbered year, the Department of Justice  
9 shall submit for approval to the Oregon Department of Administrative Ser-  
10 vices the estimated costs that will be incurred by the Department of Justice  
11 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  
13 equal to the amount approved by the Oregon Department of Administrative  
14 Services shall be transferred from the Tobacco Settlement Funds Account to  
15 the Tobacco Enforcement Fund established under ORS 180.205. If the De-  
16 partment of Justice determines during a biennium that it needs funds for  
17 purposes described in this subsection in addition to the amount approved by  
18 the Oregon Department of Administrative Services, the Department of Jus-  
19 tice may request transfer of additional moneys from the Tobacco Settlement  
20 Funds Account and the additional amount approved by the Oregon Depart-  
21 ment of Administrative Services shall be transferred to the Tobacco  
22 Enforcement Fund.

1       **“(3) Before July 1 of each odd-numbered year, the Oregon Depart-**  
2 **ment of Administrative Services, as directed by the State Treasurer,**  
3 **shall determine the amounts that are required to be transferred to the**  
4 **Oregon Opportunity Fund, the Oregon Health and Science University**  
5 **Bond Fund and the Oregon Health and Science University Bond Ad-**  
6 **ministrative Fund in the subsequent biennium for the purposes de-**  
7 **scribed in sections 12, 14 and 16, chapter 921, Oregon Laws 2001. On**  
8 **July 1 of each odd-numbered year, an amount equal to the amount**  
9 **determined by the Oregon Department of Administrative Services shall**  
10 **be transferred from the Tobacco Settlement Funds Account to the**  
11 **Oregon Opportunity Fund, the Oregon Health and Science University**  
12 **Bond Fund and the Oregon Health and Science University Bond Ad-**  
13 **ministrative Fund described in sections 12, 14 and 16, chapter 921,**  
14 **Oregon Laws 2001.**

15       **“[(3)] (4) Except as provided in [subsection (2)] subsections (2) and (3)**  
16 **of this section, all moneys in the Tobacco Settlement Funds Account are**  
17 **continuously appropriated to the Oregon Department of Administrative Ser-**  
18 **vices [to be expended as directed by the Legislative Assembly].**

19       **“(5) Following the transfers of moneys described in subsections (2)**  
20 **and (3) of this section, the Oregon Department of Administrative Ser-**  
21 **vices shall transfer the remaining moneys in the Tobacco Settlement**  
22 **Funds Account as follows:**

23       **“(a) Ninety percent of the moneys paid each calendar year to this**  
24 **state under the Master Settlement Agreement of 1998 shall be trans-**  
25 **ferred to the Oregon Health Authority Fund established under ORS**  
26 **413.101 and credited to an account within the fund designated by the**  
27 **Oregon Health Authority. Moneys in the account are continuously**  
28 **appropriated to the authority for the purpose of funding health care**  
29 **initiatives.**

30       **“(b) Ten percent of the moneys paid each calendar year to this state**

1 **under the Master Settlement Agreement of 1998 shall be transferred**  
2 **to the Tobacco Use Reduction Account established under ORS 431.832.**

3 “~~[(4)]~~ **(6)** All moneys in the Tobacco Settlement Funds Account shall be  
4 invested as provided in ORS 293.701 to 293.790.

5 **“SECTION 2. The amendments to ORS 293.537 by section 1 of this**  
6 **2013 Act apply to moneys received by this state under the Master**  
7 **Settlement Agreement of 1998 on or after January 1, 2014.**

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

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