

Opioid Settlement Fund, Allocation of Moneys Bill Senate File 2395

Last Action:
Senate Floor
February 27, 2024

An Act relating to the opioid settlement fund, including appropriations of the moneys in the fund, and providing an effective date.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available online at www.legis.iowa.gov/publications/information/appropriationBillAnalysis

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EXECUTIVE SUMMARY**OPIOID SETTLEMENT FUND, ALLOCATION OF MONEYS****FUNDING SUMMARY**

Requires 75.0% of moneys in the Opioid Settlement Fund to be appropriated to the Department of Health and Human Services (HHS) and 25.0% of the moneys to be appropriated to the Office of the Attorney General. When moneys are disbursed by the HHS or the Office of the Attorney General, the moneys must be accompanied by a statement on any printed or marketing materials that the moneys were a one-time allocation from the Opioid Settlement Fund.

Page 1, Line 6

EFFECTIVE DATE

Senate File 2395 takes effect upon enactment.

Page 1, Line 24

Senate File 2395 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
1	1	1	Amend	12.51.2

1 1 Section 1. Section 12.51, subsection 2, Code 2024, is
 1 2 amended to read as follows:
 1 3 2. a. Moneys in the fund shall not be transferred, used,
 1 4 obligated, appropriated, or otherwise encumbered except as
 1 5 provided in this section.

1 6 b. Annually, seventy-five percent of the moneys in the fund
 1 7 shall be appropriated to the department of health and human
 1 8 services and twenty-five percent of the moneys in the fund
 1 9 shall be appropriated to the office of the attorney general.
 1 10 The moneys appropriated shall be disbursed by the department
 1 11 of health and human services and the office of the attorney
 1 12 general in accordance with the requirements of any master
 1 13 settlement agreement and this section. The moneys disbursed by
 1 14 the department of health and human services or the office of
 1 15 the attorney general shall be accompanied by a statement on any
 1 16 printed or marketing materials that the funding is a one-time
 1 17 allocation from the opioid settlement fund.

Provides direction for the appropriation or allocation of funds from the Opioid Settlement Fund.

Requires 75.00% of moneys in the Opioid Settlement Fund to be appropriated to the Department of Health and Human Services (HHS) and 25.00% of the moneys to be appropriated to the Office of the Attorney General. When moneys are disbursed by the HHS or the Office of the Attorney General, the moneys must be accompanied by a statement on any printed or marketing materials that the moneys were a one-time allocation from the Opioid Settlement Fund.

FISCAL IMPACT: As of February 26, 2024, there is \$25.1 million available for expenditure in the Opioid Settlement Fund. Under the Bill, \$18.8 million of these moneys would be appropriated to the HHS and \$6.3 million would be appropriated to the Office of the Attorney General. It is unknown whether any additional moneys will be deposited into the Fund by the enactment date. According to the Office of the Attorney General, an additional \$18.8 million may still be received by the State in FY 2024.

The projected appropriations from the Opioid Settlement Fund may change depending on the timing of the receipt of funds and fluctuations in payment agreements and schedules. The following are estimations of funds available for expenditure for the next five fiscal years according to the Office of the Attorney General as of February 26, 2024:

- FY 2025: \$6.1 million to the HHS; \$2.0 million to the Office of the Attorney General.
- FY 2026: \$6.7 million to the HHS; \$2.2 million to the Office of the Attorney General.
- FY 2027: \$7.1 million to the HHS; \$2.4 million to the Office of the Attorney General.
- FY 2028: \$7.1 million to the HHS; \$2.4 million to the Office of the Attorney General.
- FY 2029: \$7.6 million to the HHS; \$2.5 million to the Office of the Attorney General.

1 18 c. Moneys in the fund shall only be used pursuant to
1 19 appropriations from the fund by the general assembly for
1 20 purposes of abating the opioid crisis in this state, which
1 21 may include but are not limited to the purposes specified in
1 22 section 135.190A for moneys in the opioid antagonist medication
1 23 fund.

Requires moneys in the Opioid Settlement Fund to be used pursuant to appropriations from the Fund by the General Assembly with the purpose of abating the opioid crisis in the State, which may include but are not limited to purposes specified in Iowa Code section [135.190A](#).

1 24 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
1 25 importance, takes effect upon enactment.

Provides that the Bill takes effect upon enactment.