

FEB 18 2008
APPROPRIATIONS

HOUSE FILE 2302

BY SCHRADER, FALCK, MURPHY, CONNORS,
T. TAYLOR, LARKIN, CHIDO, PARMENTER,
FORD, FREVERT, KUHN, GREIMANN, MYERS,
D. TAYLOR, RICHARDSON, BELL, REYNOLDS,
BUKTA, JOCHUM, SCHERRMAN, CATALDO,
O'BRIEN, DOTZLER, MASCHER, STEVENS,
and HOLVECK

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations from the tobacco
2 settlement fund to the department of human services for
3 expansion of the school-based supervision of children, and
4 providing an effective date and providing retroactive
5 applicability.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19

HF 2302

1 Section 1. TOBACCO SETTLEMENT FUND -- APPROPRIATION TO THE
2 DEPARTMENT OF HUMAN SERVICES. There is appropriated from the
3 tobacco settlement fund created in section 12.65 to the
4 department of human services, for the fiscal year beginning
5 July 1, 2000, and ending June 30, 2001, the following amount,
6 or so much thereof as is necessary, to be used for the
7 purposes designated:

8 To supplement the child and family services appropriation
9 to expand the program for school-based supervision of
10 children:

11 \$ 650,000

12 Sec. 2. Section 12.65, Code 1999, is amended to read as
13 follows:

14 12.65 TOBACCO SETTLEMENT FUND.

15 1. A tobacco settlement fund is created in the office of
16 the treasurer of state. After payment of litigation costs,
17 the state portion of any moneys paid to the state by tobacco
18 companies in settlement of the state's lawsuit for recovery of
19 public expenditures associated with tobacco use shall be
20 deposited in the tobacco settlement fund. Moneys deposited in
21 the fund shall be used only as provided in appropriations from
22 the fund ~~to the department of human services for the medical~~
23 ~~assistance program and to the Iowa department of public health~~
24 for health care-related programs to reduce smoking by teenage
25 youth. For purposes of this section, "litigation costs" are
26 those costs itemized by the attorney general and submitted to
27 and approved by the ~~general assembly~~ executive council.

28 2. On June 30, 2001, the balance remaining in the tobacco
29 settlement fund shall be transferred to the general fund of
30 the state. Beginning July 1, 2001, the tobacco settlement
31 fund shall be considered part of the general fund of the
32 state. However, the state portion of the moneys received
33 shall only be appropriated for health care-related programs.

34 Sec. 3. EFFECTIVE DATE. The section in this Act amending
35 section 12.65, being deemed of immediate importance, takes

1 effect upon enactment and is retroactively applicable to July
2 1, 1999.

3

EXPLANATION

4 This bill relates to the tobacco settlement fund, makes an
5 appropriation from the fund to the department of human
6 services for expansion of the program for school-based
7 supervision of children, and provides conforming provisions
8 relating to the expenditure of the funds.

9 The bill also appropriates \$650,000 to the department of
10 human services to supplement the child and family services
11 appropriation to be used to expand the program for school-
12 based supervision of children.

13 The bill also amends codified provisions relating to the
14 tobacco settlement fund and to the provisions of the bill.
15 The bill amends Code section 12.65, the tobacco settlement
16 fund, to provide that moneys deposited in the fund shall be
17 used only as provided in appropriations from the fund and for
18 health care-related programs. The amendment to the section
19 also provides that litigation costs, which are to be paid
20 prior to deposit of moneys in the fund, are to be submitted to
21 and approved by the executive council, which as provided in
22 Code section 7D.1 includes the governor, secretary of state,
23 auditor of state, treasurer of state, and the secretary of
24 agriculture. The bill also amends Code section 12.65 to
25 provide that the balance remaining in the tobacco settlement
26 fund shall be transferred to the general fund of the state.
27 Additionally, beginning July 1, 2001, the tobacco settlement
28 fund is to be considered part of the general fund of the
29 state. However, the state portion of the tobacco settlement
30 funds are to continue to only be appropriated for health care-
31 related programs. Code section 12.65 as amended in the bill
32 is effective upon enactment and is retroactively applicable to
33 July 1, 1999.

34

35