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SENATE FILE 2129

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JUDGE, GRONSTAL, and SZYMONIAK

Passed Senate, Date \_\_\_\_\_ Passed House, 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 Iowa department of public health for a  
3 poison control center, and providing an effective date and  
4 providing for retroactive applicability.

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

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SF 2129

APPROPRIATIONS

1 Section 1. TOBACCO SETTLEMENT FUND -- APPROPRIATION TO THE  
2 IOWA DEPARTMENT OF PUBLIC HEALTH. There is appropriated from  
3 the tobacco settlement fund created in section 12.65 to the  
4 Iowa department of public health 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 purpose  
7 designated:

8 For the establishment of a state poison control center:  
9 ..... \$ 437,920

10 Sec. 2. Section 12.65, Code 1999, is amended to read as  
11 follows:

12 12.65 TOBACCO SETTLEMENT FUND.

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

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

32 Sec. 3. EFFECTIVE DATE. The section in this Act amending  
33 section 12.65, being deemed of immediate importance, takes  
34 effect upon enactment and is retroactively applicable to July  
35 1, 1999.

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EXPLANATION

This bill relates to the tobacco settlement fund to the Iowa department of public health, makes appropriations from the fund, and provides conforming provisions relating to the expenditure of the funds.

The bill appropriates \$437,920 to the Iowa department of public health for the establishment of a state poison control center.

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