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SENATE FILE 2137

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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 and to  
3 the department of personnel for smoking cessation programs,  
4 and providing an effective date and providing for retroactive  
5 applicability.

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

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SF 2137  
APPROPRIATIONS

1 Section 1. TOBACCO SETTLEMENT FUND -- APPROPRIATIONS TO  
2 DEPARTMENTS. There is appropriated from the tobacco  
3 settlement fund created in section 12.65 to the following  
4 departments for the fiscal year beginning July 1, 2000, and  
5 ending June 30, 2001, the following amounts, or so much  
6 thereof as is necessary, to be used for the purposes  
7 designated:

8 1. To the Iowa department of public health for the tobacco  
9 use prevention and cessation program to be administered by the  
10 Iowa department of public health:

11 ..... \$ 9,345,394

12 a. Of the funds appropriated in this subsection, not more  
13 than \$2,000,000 shall be used for community programs relating  
14 to tobacco use prevention and cessation.

15 b. Of the funds appropriated in this subsection, not more  
16 than \$1,000,000 shall be used for school programs relating to  
17 tobacco use prevention and cessation.

18 c. Of the funds appropriated in this subsection, not more  
19 than \$2,119,635 shall be used for enforcement relating to  
20 tobacco use prevention and cessation.

21 d. Of the funds appropriated in this subsection, not more  
22 than \$3,000,000 shall be used for counter marketing relating  
23 to tobacco use prevention and cessation.

24 e. Of the funds appropriated in this subsection, not more  
25 than \$500,000 shall be used for a state tobacco use cessation  
26 program with an emphasis on provision of services to pregnant  
27 women and mothers.

28 f. Of the funds appropriated in this subsection, not more  
29 than \$200,000 shall be used for research and evaluation of  
30 tobacco use prevention and cessation measures.

31 g. Of the funds appropriated in this subsection, not more  
32 than \$525,759 shall be used for administration and management  
33 of the tobacco use prevention and cessation program. Of this  
34 amount, \$135,000 shall be transferred to the department of  
35 justice, for use by a tobacco control unit, and \$50,000 shall

1 be transferred to the department of revenue and finance for  
2 monitoring of the master settlement agreement.

3 2. To the department of personnel for a state employee  
4 tobacco use cessation program:

5 ..... \$ 79,606

6 Sec. 2. Section 12.65, Code 1999, is amended to read as  
7 follows:

8 12.65 TOBACCO SETTLEMENT FUND.

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

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

28 Sec. 3. EFFECTIVE DATE. The section in this Act amending  
29 section 12.65, being deemed of immediate importance, takes  
30 effect upon enactment and is retroactively applicable to July  
31 1, 1999.

32 EXPLANATION

33 This bill relates to the tobacco settlement fund, makes  
34 appropriations from the fund to the Iowa department of public  
35 health and to the department of personnel for smoking

1 cessation programs, and provides conforming provisions  
2 relating to the expenditure of the funds.

3 The bill appropriates \$9,345,394 to the Iowa department of  
4 public health for a tobacco use prevention and cessation  
5 program including up to the following amounts for the  
6 following purposes: \$2,000,000 for community programs  
7 relating to tobacco use prevention and cessation; \$1,000,000  
8 for school programs relating to tobacco use prevention and  
9 cessation; \$2,119,635 for enforcement relating to tobacco use  
10 prevention and cessation; \$3,000,000 for counter marketing  
11 relating to tobacco use prevention and cessation; \$500,000 for  
12 a state tobacco use cessation program with an emphasis on  
13 provision of services to pregnant women and mothers; \$200,000  
14 for research and evaluation of tobacco use prevention and  
15 cessation measures; and \$525,759 for administration and  
16 management of the tobacco use prevention and cessation program  
17 of which \$135,000 is to be transferred to the department of  
18 justice for use by a tobacco control unit and \$50,000 is to be  
19 transferred to the department of revenue and finance for  
20 monitoring of the master settlement agreement.

21 The bill appropriates \$79,606 to the department of  
22 personnel for a state employee tobacco use cessation program.

23 The bill also amends codified provisions relating to the  
24 tobacco settlement fund and to the provisions of the bill.  
25 The bill amends Code section 12.65, the tobacco settlement  
26 fund, to provide that moneys deposited in the fund shall be  
27 used only as provided in appropriations from the fund and for  
28 health care-related programs. The amendment to the section  
29 also provides that litigation costs, which are to be paid  
30 prior to deposit of moneys in the fund, are to be submitted to  
31 and approved by the executive council, which as provided in  
32 Code section 7D.1 includes the governor, secretary of state,  
33 auditor of state, treasurer of state, and the secretary of  
34 agriculture. The bill also amends Code section 12.65 to  
35 provide that the balance remaining in the tobacco settlement

1 fund shall be transferred to the general fund of the state.  
2 Additionally, beginning July 1, 2001, the tobacco settlement  
3 fund is to be considered part of the general fund of the  
4 state. However, the state portion of the tobacco settlement  
5 funds are to continue to only be appropriated for health care-  
6 related programs. Code section 12.65 as amended in the bill  
7 is effective upon enactment and is retroactively applicable to  
8 July 1, 1999.

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