

SENATE FILE 2138

BY GRONSTAL, BLACK, BOLKCOM,  
CONNOLLY, DEARDEN, DELUHERY,  
DVORSKY, FINK, FLYNN, FRAISE,  
HANSEN, HARPER, HAMMOND, KIBBIE,  
McCOY, SHEARER, SOUKUP, JUDGE,  
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  
3 substance abuse treatment, 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 2138  
APPROPRIATIONS

1 Section 1. TOBACCO SETTLEMENT FUND -- APPROPRIATION.

2 There is appropriated from the tobacco settlement fund created  
3 in section 12.65 to the Iowa department of public health for  
4 the fiscal year beginning July 1, 2000, and ending June 30,  
5 2001, the following amount, or so much thereof as is  
6 necessary, to be used for the purpose designated:

7 For additional substance abuse treatment under the  
8 substance abuse treatment program:

9 ..... \$ 11,888,946

10 1. The department shall use funds appropriated in this  
11 section to enhance the quality of and to expand the capacity  
12 to provide 24-hour substance abuse treatment programs.

13 2. The department shall use funds appropriated in this  
14 section to expand the length of individual client substance  
15 abuse treatment plans, as necessary to reduce program  
16 recidivism.

17 3. The department shall share research-based best  
18 practices for treatment with substance abuse treatment  
19 facilities.

20 4. The department shall develop a results-based funding  
21 approach for substance abuse treatment services.

22 5. The department shall develop a program to encourage  
23 individuals who are successfully managing their substance  
24 abuse problems to serve as role models.

25 Sec. 2. Section 12.65, Code 1999, is amended to read as  
26 follows:

27 12.65 TOBACCO SETTLEMENT FUND.

28 1. A tobacco settlement fund is created in the office of  
29 the treasurer of state. After payment of litigation costs,  
30 the state portion of any moneys paid to the state by tobacco  
31 companies in settlement of the state's lawsuit for recovery of  
32 public expenditures associated with tobacco use shall be  
33 deposited in the tobacco settlement fund. Moneys deposited in  
34 the fund shall be used only as provided in appropriations from  
35 the fund ~~to the department of human services for the medical~~

1 ~~assistance-program-and-to-the-Iowa-department-of-public-health~~  
2 ~~for health care-related programs to-reduce-smoking-by-teenage~~  
3 ~~youth.~~ For purposes of this section, "litigation costs" are  
4 those costs itemized by the attorney general and submitted to  
5 and approved by the ~~general-assembly~~ executive council.

6 2. On June 30, 2001, the balance remaining in the tobacco  
7 settlement fund shall be transferred to the general fund of  
8 the state. Beginning July 1, 2001, the tobacco settlement  
9 fund shall be considered part of the general fund of the  
10 state. However, the state portion of the moneys received  
11 shall only be appropriated for health care-related programs.

12 Sec. 3. EFFECTIVE DATE. The section in this Act amending  
13 section 12.65, being deemed of immediate importance, takes  
14 effect upon enactment and is retroactively applicable to July  
15 1, 1999.

16 EXPLANATION

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

21 The bill appropriates \$11,888,946 to the Iowa department of  
22 public health for additional substance abuse treatment. Under  
23 this appropriation, the department is directed: to enhance  
24 the quality of and to expand capacity to provide 24-hour  
25 substance abuse treatment programs for children; to expand the  
26 length of individual client substance abuse treatment plans,  
27 as necessary to reduce recidivism; to share research-based  
28 best practices for treatment with substance abuse treatment  
29 facilities; to develop a results-based funding approach for  
30 substance abuse treatment services; and to develop a program  
31 to encourage individuals who are successfully managing their  
32 substance abuse problems to serve as role models.

33 The bill also amends codified provisions relating to the  
34 tobacco settlement fund and to the provisions of the bill.  
35 The bill amends Code section 12.65, the tobacco settlement

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

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