

SENATE FILE 2140
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DEARDEN, DELUHERY, DVORSKY, FINK,
FLYNN, FRAISE, HANSEN, HARPER,
KIBBIE, McCOY, SHEARER, SOUKUP,
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 an appropriation from the tobacco
2 settlement fund to the department of inspections and appeals
3 for food safety resources, 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 2140
APPROPRIATIONS

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

8 For food safety measures:

9 \$ 45,000

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, makes an appropriation from the fund to the department of inspections and appeals, and provides conforming provisions relating to the expenditure of the funds.

The bill appropriates \$45,000 to the department of inspections and appeals for food safety measures.

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.