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SENATE FILE 2173

BY DELUHERY, BLACK, BOLKCOM, CONNOLLY,
DEARDEN, DVORSKY, FINK, FLYNN,
FRAISE, GRONSTAL, HAMMOND,
HANSEN, HARPER, JUDGE, KIBBIE,
McCOY, SHEARER, SOUKUP, 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 human services for
3 expansion of supportive employment, and providing an effective
4 date and providing for retroactive applicability.

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

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SF 2173
APPROPRIATIONS

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 purpose
7 designated:

8 To supplement the medical assistance appropriation to
9 provide for expansion of availability of supportive employment
10 to individuals eligible for medical assistance under the
11 persons with mental retardation or brain injury waivers:

12 \$ 1,400,000

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

15 12.65 TOBACCO SETTLEMENT FUND.

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

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

35 Sec. 3. EFFECTIVE DATE. The section in this Act amending

1 section 12.65, being deemed of immediate importance, takes
2 effect upon enactment and is retroactively applicable to July
3 1, 1999.

4 EXPLANATION

5 This bill relates to the tobacco settlement fund, makes an
6 appropriation from the fund to the department of human
7 services, and provides conforming provisions relating to the
8 expenditure of the funds.

9 The bill appropriates \$1,400,000 to the department of human
10 services to supplement the medical assistance appropriation to
11 provide for expansion of availability of supportive employment
12 to individuals eligible for medical assistance under the
13 persons with mental retardation or brain injury waiver.

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

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