

1 AN ACT in relation to tobacco product manufacturers.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The State Finance Act is amended by changing
5 Section 6z-43 as follows:

6 (30 ILCS 105/6z-43)

7 Sec. 6z-43. Tobacco Settlement Recovery Fund.

8 (a) There is created in the State treasury Treasury a
9 special fund to be known as the Tobacco Settlement Recovery
10 Fund, into which shall be deposited all monies paid to the
11 State pursuant to (1) the Master Settlement Agreement entered
12 in the case of People of the State of Illinois v. Philip
13 Morris, et al. (Circuit Court of Cook County, No. 96-L13146)
14 and (2) any settlement with or judgment against any tobacco
15 product manufacturer other than one participating in the
16 Master Settlement Agreement in satisfaction of any released
17 claim as defined in the Master Settlement Agreement, as well
18 as any other monies as provided by law. All earnings on Fund
19 investments shall be deposited into the Fund. Upon the
20 creation of the Fund, the State Comptroller shall order the
21 State Treasurer to transfer into the Fund any monies paid to
22 the State as described in item (1) or (2) of this Section
23 before the creation of the Fund plus any interest earned on
24 the investment of those monies. The Treasurer may invest the
25 moneys in the Fund in the same manner, in the same types of
26 investments, and subject to the same limitations provided in
27 the Illinois Pension Code for the investment of pension funds
28 other than those established under Article 3 or 4 of the
29 Code.

30 (b) As soon as may be practical after June 30, 2001,
31 upon notification from and at the direction of the Governor,

1 the State Comptroller shall direct and the State Treasurer
2 shall transfer the unencumbered balance in the Tobacco
3 Settlement Recovery Fund as of June 30, 2001, as determined
4 by the Governor, into the Budget Stabilization Fund. The
5 Treasurer may invest the moneys in the Budget Stabilization
6 Fund in the same manner, in the same types of investments,
7 and subject to the same limitations provided in the Illinois
8 Pension Code for the investment of pension funds other than
9 those established under Article 3 or 4 of the Code.

10 (c) In addition to any other deposits authorized by law,
11 after any delivery of any bonds as authorized by Section 7.5
12 of the General Obligation Bond Act for deposits to the
13 General Revenue Fund and the Budget Stabilization Fund
14 (referred to as "tobacco securitization general obligation
15 bonds"), the Governor shall certify, on or before June 30,
16 2003 and June 30 of each year thereafter, to the State
17 Comptroller and State Treasurer the total amount of principal
18 of, interest on, and premium, if any, due on those bonds in
19 the next fiscal year beginning with amounts due in fiscal
20 year 2004. As soon as practical after the annual payment of
21 tobacco settlement moneys to the Tobacco Settlement Recovery
22 Fund as described in item (1) of subsection (a), the State
23 Treasurer and State Comptroller shall transfer from the
24 Tobacco Settlement Recovery Fund to the General Obligation
25 Bond Retirement and Interest Fund the amount certified by the
26 Governor, plus any cumulative deficiency in those transfers
27 for prior years.

28 (d) ~~(e)~~ All federal financial participation moneys
29 received pursuant to expenditures from the Fund shall be
30 deposited into the Fund.

31 (Source: P.A. 91-646, eff. 11-19-99; 91-704, eff. 7-1-00;
32 91-797, eff. 6-9-00; 92-11, eff. 6-11-01; 92-16, eff.
33 6-28-01; 92-596, eff. 6-28-02; 92-597, eff. 6-28-02; revised
34 9-3-02.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.