

SENATE BILL NO. 861

April 24, 2020, Introduced by Senator LUCIDO and referred to the Committee on Appropriations.

A bill to amend 2000 PA 489, entitled
"Michigan trust fund act,"
by amending section 2 (MCL 12.252), as amended by 2016 PA 193, and
by adding section 3.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1** Sec. 2. As used in this act:
- 2** (a) "Community district education trust fund" means the

1 community district education trust fund created in section 12.

2 (b) "Medicaid benefits trust fund" means the Michigan Medicaid
3 benefits trust fund established in section 5.

4 (c) "Medicaid program" means a program for medical assistance
5 established under title XIX of the social security act, 42 USC 1396
6 to 1396w-5.

7 (d) "Medicaid special financing payments" means the Medicaid
8 special adjustor payments each year authorized in the department of
9 community health appropriations act.

10 (e) "Michigan merit award trust fund" means the Michigan merit
11 award trust fund established in section 9.

12 (f) **"Opioid settlement proceeds" means money received by this**
13 **state attributable to a statewide or nationwide settlement of**
14 **litigation against opioid drug manufacturers due to the opioid drug**
15 **crisis.**

16 (g) **"Opioid settlement trust fund" means the opioid settlement**
17 **trust fund created in section 3.**

18 (h) ~~(f)~~ "Tobacco settlement revenue" means money received by
19 this state that is attributable to the master settlement agreement
20 incorporated into a consent decree and final judgment entered into
21 on December 7, 1998 in Kelly Ex Rel. Michigan v Philip Morris
22 Incorporated, et al., **Kelly Ex Rel. Michigan v Philip Morris**
23 **Incorporated, et al.**, Ingham County circuit court, docket no. 96-
24 84281CZ, including any rights to receive money attributable to the
25 master settlement agreement that has been sold by this state.

26 (i) ~~(g)~~ "21st century jobs trust fund" means the 21st century
27 jobs trust fund established in section 7.

28 **Sec. 3. (1) The opioid settlement trust fund is created within**
29 **the state treasury.**

1 (2) The state treasurer shall deposit opioid settlement
2 proceeds into the opioid settlement trust fund. The state treasurer
3 may receive money or other assets from any source for deposit into
4 the opioid settlement trust fund. The state treasurer shall direct
5 the investment of the opioid settlement trust fund. The state
6 treasurer shall credit to the opioid settlement trust fund interest
7 and earnings from opioid settlement trust fund investments.

8 (3) Money in the opioid settlement trust fund at the close of
9 the fiscal year shall remain in the opioid settlement trust fund
10 and shall not lapse to the general fund.

11 (4) The department of treasury shall be the administrator of
12 the opioid settlement trust fund for auditing purposes.

13 (5) The department of treasury shall expend money from the
14 opioid settlement trust fund, upon appropriation, only for state-
15 sponsored opioid treatment, and awareness programs.