

1 AN ACT in relation to health.

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

4 Section 1. Short title. This Act may be cited as the
5 Tobacco Settlement Proceeds for Nicotine Patches Act.

6 Section 5. Definition. In this Act, "Department" means
7 the Department of Public Health.

8 Section 10. Nicotine patches; request for reimbursement.
9 Except as otherwise provided in this Act, any resident of
10 this State who purchases nicotine patches for his or her
11 personal use may submit to the Department a request for
12 reimbursement of the price paid for the patches.

13 Section 15. Exception; insurance coverage. The Department
14 may not make any reimbursement under this Act to the extent
15 that the cost of nicotine patches was covered by insurance.

16 Section 20. Use of tobacco settlement proceeds. The
17 Department shall make reimbursements under this Act from
18 moneys appropriated to it for that purpose from the Tobacco
19 Settlement Recovery Fund.

20 Section 25. Rules. The Department shall adopt rules to
21 implement this Act, including rules prescribing the form and
22 procedure for making requests for reimbursement and the
23 procedure for approving requests.

24 Section 90. The State Finance Act is amended by changing
25 Section 6z-43 as follows:

1 (30 ILCS 105/6z-43)

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

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

25 (a-5) In addition to any other use authorized by law,
26 moneys in the Tobacco Settlement Recovery Fund may be
27 appropriated to the Department of Public Health for making
28 reimbursements to purchasers of nicotine patches under the
29 Tobacco Settlement Proceeds for Nicotine Patches Act.

30 (b) As soon as may be practical after June 30, 2001, the
31 State Comptroller shall direct and the State Treasurer shall
32 transfer the unencumbered balance in the Tobacco Settlement
33 Recovery Fund as of June 30, 2001 into the Budget
34 Stabilization Fund. The Treasurer may invest the moneys in

1 the Budget Stabilization Fund in the same manner, in the same
2 types of investments, and subject to the same limitations
3 provided in the Illinois Pension Code for the investment of
4 pension funds other than those established under Article 3 or
5 4 of the Code.

6 (Source: P.A. 91-646, eff. 11-19-99; 91-704, eff. 7-1-00;
7 91-797, eff. 6-9-00; revised 6-28-00.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.