

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 5. The Department of Public Health Powers and  
5 Duties Law of the Civil Administrative Code of Illinois is  
6 amended by adding Section 2310-338 as follows:

7 (20 ILCS 2310/2310-338 new)

8 Sec. 2310-338. Comprehensive statewide asthma management  
9 plan.

10 (a) Subject to appropriation, the Department shall  
11 develop, maintain, and revise biennially a written  
12 comprehensive statewide plan (the "statewide asthma  
13 management plan") for (i) reducing the rate of  
14 hospitalizations due to asthma and (ii) facilitating the  
15 effective management of asthma in persons with asthma who  
16 reside in Illinois. The plan shall address, but need not be  
17 limited to: disease surveillance and investigation; public  
18 and professional education; identification and replication of  
19 the best practices for public health and clinical  
20 interventions; public and private partnerships with health  
21 care providers, third-party payors, local school systems, and  
22 community coalitions; and identification of sources of grant  
23 funding. The plan shall place primary emphasis on, but not be  
24 limited to, children between the ages of birth and 18 years.

25 (b) In order to develop the statewide asthma management  
26 plan, the Department shall consult with: representatives of  
27 the medical, nursing, pharmacy, and allied health  
28 professions; public health agencies; community coalition  
29 leaders; insurers; hospital personnel; the State Board of  
30 Education and local school systems; and other appropriate  
31 entities.

1       (c) Subject to appropriations, the Department shall  
2 implement programs to meet the objectives of the statewide  
3 asthma management plan. The Department shall ensure, to the  
4 extent feasible and appropriate, that existing Department  
5 programs, systems, and infrastructure are efficiently  
6 utilized as a basis for implementing the plan.

7       (d) The Department shall adopt rules to implement the  
8 provisions of the statewide asthma management plan.

9       (e) The Department shall report by December 31 of each  
10 year to the Governor and the General Assembly concerning (i)  
11 the development and implementation of the statewide asthma  
12 management plan and (ii) the effectiveness of the  
13 Department's programs in reducing the rate of  
14 hospitalizations due to asthma in the State and facilitating  
15 more effective management of asthma.

16       Section 10. The State Finance Act is amended by changing  
17 Section 6z-43 as follows:

18       (30 ILCS 105/6z-43)

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

20       (a) There is created in the State Treasury a special  
21 fund to be known as the Tobacco Settlement Recovery Fund,  
22 into which shall be deposited all monies paid to the State  
23 pursuant to (1) the Master Settlement Agreement entered in  
24 the case of People of the State of Illinois v. Philip Morris,  
25 et al. (Circuit Court of Cook County, No. 96-L13146) and (2)  
26 any settlement with or judgment against any tobacco product  
27 manufacturer other than one participating in the Master  
28 Settlement Agreement in satisfaction of any released claim as  
29 defined in the Master Settlement Agreement, as well as any  
30 other monies as provided by law. All earnings on Fund  
31 investments shall be deposited into the Fund. Upon the  
32 creation of the Fund, the State Comptroller shall order the

1 State Treasurer to transfer into the Fund any monies paid to  
2 the State as described in item (1) or (2) of this Section  
3 before the creation of the Fund plus any interest earned on  
4 the investment of those monies. The Treasurer may invest the  
5 moneys in the Fund in the same manner, in the same types of  
6 investments, and subject to the same limitations provided in  
7 the Illinois Pension Code for the investment of pension funds  
8 other than those established under Article 3 or 4 of the  
9 Code.

10 (a-5) In addition to any other use authorized by law,  
11 moneys in the Tobacco Settlement Recovery Fund may be  
12 appropriated for use in funding the implementation of the  
13 statewide asthma management plan developed by the Department  
14 of Public Health under Section 2310-338 of the Department of  
15 Public Health Powers and Duties Law (20 ILCS 2310/2310-338).

16 (b) As soon as may be practical after June 30, 2001,  
17 upon notification from and at the direction of the Governor,  
18 the State Comptroller shall direct and the State Treasurer  
19 shall transfer the unencumbered balance in the Tobacco  
20 Settlement Recovery Fund as of June 30, 2001, as determined  
21 by the Governor, into the Budget Stabilization Fund. The  
22 Treasurer may invest the moneys in the Budget Stabilization  
23 Fund in the same manner, in the same types of investments,  
24 and subject to the same limitations provided in the Illinois  
25 Pension Code for the investment of pension funds other than  
26 those established under Article 3 or 4 of the Code.

27 (c) In addition to any other deposits authorized by law,  
28 after any delivery of any bonds as authorized by Section 7.5  
29 of the General Obligation Bond Act for deposits to the  
30 General Revenue Fund and the Budget Stabilization Fund  
31 (referred to as "tobacco securitization general obligation  
32 bonds"), the Governor shall certify, on or before June 30,  
33 2003 and June 30 of each year thereafter, to the State  
34 Comptroller and State Treasurer the total amount of principal

1 of, interest on, and premium, if any, due on those bonds in  
2 the next fiscal year beginning with amounts due in fiscal  
3 year 2004. As soon as practical after the annual payment of  
4 tobacco settlement moneys to the Tobacco Settlement Recovery  
5 Fund as described in item (1) of subsection (a), the State  
6 Treasurer and State Comptroller shall transfer from the  
7 Tobacco Settlement Recovery Fund to the General Obligation  
8 Bond Retirement and Interest Fund the amount certified by the  
9 Governor, plus any cumulative deficiency in those transfers  
10 for prior years.

11 (d) ~~(e)~~ All federal financial participation moneys  
12 received pursuant to expenditures from the Fund shall be  
13 deposited into the Fund.

14 (Source: P.A. 91-646, eff. 11-19-99; 91-704, eff. 7-1-00;  
15 91-797, eff. 6-9-00; 92-11, eff. 6-11-01; 92-16, eff.  
16 6-28-01; 92-596, eff. 6-28-02; 92-597, eff. 6-28-02; revised  
17 9-3-02.)