

1 AN ACT in relation to finance.

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

29 (b) As soon as may be practical after June 30, 2001, upon  
30 notification from and at the direction of the Governor, the  
31 State Comptroller shall direct and the State Treasurer shall  
32 transfer the unencumbered balance in the Tobacco Settlement

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

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

25 (d) ~~(e)~~ All federal financial participation moneys  
26 received pursuant to expenditures from the Fund shall be  
27 deposited into the Fund.

28 (Source: P.A. 91-646, eff. 11-19-99; 91-704, eff. 7-1-00;  
29 91-797, eff. 6-9-00; 92-11, eff. 6-11-01; 92-16, eff. 6-28-01;  
30 92-596, eff. 6-28-02; 92-597, eff. 6-28-02; revised 9-3-02.)