

HOUSE BILL 1803
By DeBerry L

AN ACT to amend Tennessee Code Annotated, Title 49, Title 63,
Title 67, Title 68 and Title 71, to enact the Tennessee
Millennium Health Trust Fund Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Tennessee Millennium Health Trust Fund Act".

SECTION 2. There is hereby created the Tennessee Millennium Health Trust Fund.

SECTION 3. All proceeds, without limitation, which the state of Tennessee derives from the settlement of any lawsuit; from an act of Congress; or from the outcome of any litigation based in whole or in part on the state recovering any funds from tobacco companies, manufacturers, and trade groups for health-related injuries to individuals, for Medicaid or TennCare-related recoveries, for reimbursement for Medicaid/TennCare funds spent on Tennessean's smoking-related illnesses or for any similar recovery or reimbursement shall be deposited into the Tennessee Millennium Health Trust Fund.

SECTION 4. The fund shall be administered as a special trust fund by the treasurer of the state of Tennessee. The state funding board established by §9-9-101 shall serve as trustees of the Millennium Health Trust Fund.

SECTION 5. The Tennessee Millennium Health Trust Fund (hereinafter, "the fund") shall be perpetual. The funds deposited shall constitute the principal of the trust. No expenditures or appropriations shall be made from the principal of the fund. The principal funds

and income derived from the fund shall be invested each year by the treasurer. Income of the fund shall be subject to appropriation by the general assembly. The principal shall be maintained so as to keep a perpetual fund that shall last into and through the next millennium. Any moneys remaining in the fund at the end of any fiscal year shall not revert to the general fund but shall remain in the fund.

SECTION 6. Prior to January 15 of each year, the state funding board shall make recommendations to the general assembly for expenditures of income earned by the fund. The general assembly shall consider such recommendations and shall appropriate such trust fund income in accordance with such recommendations or for other projects selected by the general assembly.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.