

Fifty-sixth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2250**

Introduced by

Senators Mutzenberger, DeMers, T. Mathern

1 A BILL for an Act to create and enact a new section to chapter 21-01 of the North Dakota  
2 Century Code, relating to the establishment of a health care programs trust fund; to provide an  
3 appropriation; and to declare an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 23-01 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Health care programs trust fund - Appropriation.** The health care programs trust  
8 fund is a special fund in the state treasury. The state health council shall administer the fund.  
9 Ninety percent of the funds received by the state from the tobacco settlement dollars obtained  
10 by the state under sections IX (payments) and XI (calculation and disbursement of payments)  
11 of the master settlement agreement and consent agreement adopted by the district court in its  
12 judgment entered in State ex rel. Heitkamp v. Philip Morris, incorporated (East Central District  
13 Court, December 28, 1998) must be deposited in the trust fund. The state treasurer shall invest  
14 the funds deposited in the trust fund as designated by the state health council, and the earnings  
15 must be deposited in the trust fund. The legislative assembly shall appropriate on a biennial  
16 basis the remaining ten percent of the tobacco settlement funds and the earnings from the trust  
17 fund to the state department of health for programs addressing health care needs in the state  
18 with an emphasis on prevention and health promotion programs and shall provide funds for  
19 enforcement of the judgment. Before July first of each even-numbered year, the state health  
20 council shall submit to the governor and the legislative council a plan detailing suggested uses  
21 for the funds and earnings.

22 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.