

HOUSE BILL NO. 1447

Introduced by

Representatives Weisz, Lefor, Nelson, Stemen, Vigesaa

Senators Bekkedahl, Lee

1 A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota
2 Century Code, relating to creation of the opioid settlement fund; to amend and reenact section 5
3 of chapter 3 of the 2021 Session Laws, relating to the funding of the opioid treatment and
4 prevention program; to provide for a transfer; and to declare an emergency.

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

6 **SECTION 1.** A new section to chapter 50-06 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Opioid settlement fund.**

9 There is created in the state treasury an opioid settlement fund. The fund consists of opioid
10 litigation funds received by the state. Moneys received by the state as a result of opioid litigation
11 must be deposited in the fund. Moneys in the fund may be used as authorized by legislative
12 appropriation. The legislative assembly shall consult with the governor in determining the use of
13 the moneys in the fund. As used in this section, "opioid litigation" means civil litigation, demand,
14 or settlement in lieu of litigation alleging unlawful conduct related to the marketing, sale, or
15 distribution of opioids in this state or other alleged illegal actions that contributed to the
16 excessive use of opioids.

17 **SECTION 2.** Section 5 of chapter 3 of the 2021 Session Laws is amended and reenacted
18 as follows:

19 **SECTION 5. TRANSFER - LAWSUIT SETTLEMENT PROCEEDS - OPIOID**
20 **SETTLEMENT FUND - OPIOID ADDICTION PREVENTION AND TREATMENT**
21 **PROGRAM - APPROPRIATION - DEPARTMENT OF HUMAN SERVICES -**

22 **ONE-TIME FUNDING - REPORT.** The office of management and budget shall transfer
23 up to \$2,000,000 from opioid-related lawsuit settlement proceeds deposited in the
24 attorney general refund fund to the ~~department of human services~~ opioid settlement

1 fund which is appropriated to the department of human services for the purpose of
2 defraying the expenses of an opioid addiction prevention and treatment program
3 during the biennium beginning July 1, 2021, and ending June 30, 2023. The
4 department of human services shall consult with the attorney general on the use of
5 funding for the program. The attorney general shall notify the legislative council and
6 office of management and budget of any lawsuit settlement proceeds that become
7 available for transfer to the department of human services for this program. This
8 funding is considered a one-time funding item.

9 **SECTION 3. TRANSFER - OFFICE OF MANAGEMENT AND BUDGET - OPIOID**

10 **SETTLEMENT FUND.** The office of management and budget shall transfer to the opioid
11 settlement fund all funds received by the state from opioid settlements and litigation during the
12 period beginning March 1, 2021, and the effective date of this Act, and any additional funds
13 received during the period beginning on the effective date of this Act, and ending June 30,
14 2025.

15 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.