

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 17

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHEVE AND VAN ZANDT (Co-sponsors).

Read 1st time February 27, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2132L.011

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, relating to taxation, by adding thereto one new section relating to the tobacco settlement trust fund.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2002, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article X of the Constitution of the state of Missouri:

Section A. Article X, Constitution of Missouri, is amended by adding thereto one new section, to be known as section 25, to read as follows:

Section 25. 1. Any funds received by the state of Missouri as a result of any legal settlement or award relating to tobacco-related products and any proceeds resulting from the investment of such funds shall not be classified as "total state revenues" as defined in sections 17 and 18 of this article and the expenditure of such funds shall not be an "expense of state government" under section 20 of this article and shall be deposited in a special trust fund to be known as the "Tobacco Settlement Trust Fund", which is hereby created.

2. When the corpus of the tobacco settlement trust fund reaches one hundred seventy-five million dollars, such amount shall be transferred to the "Tobacco Settlement Endowment", which is hereby created. All moneys in the endowment and any interest accruing thereto shall remain in the endowment until the corpus of the endowment reaches

11 one billion dollars. All moneys in excess of one billion dollars in the endowment shall be
12 transferred to the tobacco settlement trust fund.

13 3. When the corpus of the tobacco settlement trust fund again reaches one hundred
14 seventy-five million dollars after the initial transfer as provided in subsection 2 of this
15 section, such additional amount shall be transferred to the "Pharmacy or Health Care
16 Relief Fund for the Elderly", which is hereby created. All moneys in the fund shall be
17 subject to appropriation by the general assembly and any interest in the fund shall accrue
18 thereto.

19 4. All moneys deposited in the tobacco settlement trust fund and any interest
20 accruing thereto after the initial transfers provided for in subsections 2 and 3 of this
21 section shall be subject to appropriations as provided by law to be used and expended for
22 the following purposes:

23 (1) Fifty percent for health care access and treatment;

24 (2) Twenty percent for health sciences research;

25 (3) Fifteen percent for comprehensive tobacco cessation, education and prevention;

26 and

27 (4) Fifteen percent for early intervention and prevention programs for children.

28 5. The percentages in subsection 4 of this section shall not apply after June 30,
29 2012. After June 30, 2012, moneys in the trust fund shall be used, subject to appropriation,
30 for the purposes provided for in subsection 4 of this section without the percentage
31 restriction.

32 6. Moneys in the tobacco settlement endowment shall not be subject to state law
33 regarding the investment of surplus state funds, and may be transferred, subject to
34 appropriations by the general assembly, to the Missouri investment trust as now or
35 hereafter provided by law.