

HOUSE BILL NO. 484

INTRODUCED BY J. HURDLE

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE CHILDREN'S HEALTH CARE INITIATIVE; ALLOCATING A PORTION OF THE TOBACCO SETTLEMENT FUNDS TO THE MONTANA TOBACCO SETTLEMENT TRUST FUND AND THE GENERAL FUND; ALLOCATING THE REMAINING TOBACCO SETTLEMENT FUNDS TO COUNTY HEALTH DEPARTMENTS, THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM, MEDICAID, TOBACCO USE PREVENTION PROGRAMS, AND MENTAL HEALTH REGIONS FOR PROGRAMS THAT RELATE TO PREVENTIVE SERVICES AND HEALTH CARE; PROVIDING THAT THE PROPOSED ACT BE SUBMITTED TO THE QUALIFIED ELECTORS OF MONTANA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Short title.** [Sections 1 and 2] may be cited as the "Children's Health Care Initiative Act".

NEW SECTION. **Section 2. Children's health care initiative -- tobacco settlement fund allocation.**

(1) Money received by the state of Montana from any judgment, settlement, or fine received as a result of a civil or criminal claim against a tobacco company related to the production, marketing, or use of tobacco products is:

- (a) allocated 40% to the Montana tobacco settlement trust fund as provided for in Article XII, section 4, of the Montana constitution;
- (b) allocated 8% to the general fund;
- (c) allocated 20% to the department of revenue to allocate to each county health department, with an equal base sum of \$35,000 annually and an additional amount determined on the basis of the percentage of the population of children under 18 years of age. Counties shall determine local needs in conjunction with schools, day-care providers, and nongovernmental organizations but, at a minimum, shall use the available funds to provide school nursing and child case management to the fullest extent possible.
- (d) allocated 12% to the department of public health and human services for the state children's



1 health insurance program provided for in Title 53, chapter 4, part 10, and the Montana medicaid program  
2 provided for in Title 53, chapter 6;

3 (e) allocated 10% to the department of public health and human services to administer tobacco  
4 use prevention programs; and

5 (f) allocated 10% to the department of public health and human services to allocate to the five  
6 mental health regions for preventative, evaluative, and direct services to children in coordination with  
7 school nursing and for stepdown care in order to prevent more serious and long-term illnesses, to minimize  
8 the use of emergency hospital services, and to minimize involvement with the criminal justice system, the  
9 foster care system, and special education services.

10 (2) Funding for the programs listed in subsection (1) may not supplant funds existing for the  
11 programs on December 31, 1999.

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13 NEW SECTION. **Section 3. Codification instruction.** [Sections 1 and 2] are intended to be codified  
14 as an integral part of Title 17, chapter 6, and the provisions of Title 17, chapter 6, apply to [sections 1  
15 and 2].

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17 NEW SECTION. **Section 4. Effective date.** If approved by the electorate, this act is effective July  
18 1, 2003.

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20 NEW SECTION. **Section 5. Submission to electorate.** This amendment shall be submitted to the  
21 qualified electors of Montana at the general election to be held in November 2002 by printing on the ballot  
22 the full title of this act and the following:

23 [] FOR allocating the remaining tobacco settlement funds to state and local agencies for  
24 programs that relate to preventive services and health care.

25 [] AGAINST allocating the remaining tobacco settlement funds to state and local agencies  
26 for programs that relate to preventive services and health care.

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