

HOUSE BILL NO. 633

INTRODUCED BY J. ESP

1
2
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATING TO THE HEALTHY MONTANA KIDS
5 PLAN; REVISING THE ALLOCATION OF TOBACCO SETTLEMENT PROCEEDS; REVISING THE DEFINITION
6 OF "BASE BUDGET" TO INCLUDE CERTAIN APPROPRIATIONS FOR THE HEALTHY MONTANA KIDS PLAN;
7 REVISING PRESUMPTIVE ELIGIBILITY CRITERIA FOR THE HEALTHY MONTANA KIDS PLAN; PROVIDING
8 RULEMAKING AUTHORITY; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 17-6-606, 17-7-102,
9 AND 53-4-1105, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12
13 **Section 1.** Section 17-6-606, MCA, is amended to read:
14 **"17-6-606. (Temporary) Tobacco settlement accounts -- purpose -- uses.** (1) The purpose of this
15 section is to dedicate a portion of the tobacco settlement proceeds to fund statewide programs ~~for tobacco~~
16 ~~disease prevention~~ designed to:

- 17 (a) discourage children from starting use of tobacco;
18 (b) assist adults in quitting use of tobacco;
19 (c) provide funds for the children's health insurance program;
20 ~~(c)(d)~~ provide funds for the healthy Montana kids plan provided for in Title 53, chapter 4, part 11; and
21 ~~(d)(e)~~ provide funds for the comprehensive health association programs.

22 (2) An amount equal to ~~32%~~ 13.9% of the total yearly tobacco settlement proceeds ~~received after June~~
23 ~~30, 2003~~; must be deposited in a state special revenue account. Subject to subsection (5), the funds referred to
24 in this subsection may be used only for funding statewide programs for tobacco disease prevention designed to
25 prevent children from starting tobacco use and to help adults who want to quit tobacco use. The department of
26 public health and human services shall manage the tobacco disease prevention programs and shall adopt rules
27 to implement the programs. In adopting rules, the department shall consider the standards contained in Best
28 Practices for Comprehensive Tobacco Control Programs--August 1999 or its successor document, published by
29 the U.S. department of health and human services, centers for disease control and prevention.

30 (3) An amount equal to ~~17%~~ 35.1% of the total yearly tobacco settlement proceeds ~~received after June~~

1 ~~30, 2003~~; must be deposited in a state special revenue account. Subject to subsection (5), the funds referred to
 2 in this subsection may be used only for:

3 (a) matching funds for the Children's Health Insurance Program Act provided for in Title 53, chapter 4,
 4 part 10;

5 ~~(a)(b) matching funds to secure the maximum amount of federal funds for the healthy Montana kids plan~~
 6 provided for in Title 53, chapter 4, part 11; and

7 ~~(b)(c)~~ programs of the comprehensive health association provided for in Title 33, chapter 22, part 15,
 8 with funding use subject to 33-22-1513.

9 (4) Funds deposited in a state special revenue account, as provided in subsection (2) or (3), that are not
 10 appropriated within 2 years after the date of deposit must be transferred to the trust fund.

11 (5) The legislature shall appropriate money from the state special revenue accounts provided for in this
 12 section for programs for tobacco disease prevention, for the programs referred to in the subsection establishing
 13 the account, and for funding the tobacco prevention advisory board.

14 (6) Programs funded under this section that are private in nature may be funded through contracted
 15 services. (Terminates June 30, 2011--sec. 35(1), Ch. 486, L. 2009.)

16 **17-6-606. (Effective July 1, 2011) Tobacco settlement accounts -- purpose -- uses.** (1) The purpose
 17 of this section is to dedicate a portion of the tobacco settlement proceeds to fund statewide programs ~~for tobacco~~
 18 ~~disease prevention~~ designed to:

19 (a) discourage children from starting use of tobacco;

20 (b) assist adults in quitting use of tobacco;

21 (c) provide funds for the children's health insurance program; ~~and~~

22 (d) provide funds for the healthy Montana kids plan provided for in Title 53, chapter 4, part 11; and

23 ~~(d)(e)~~ provide funds for the comprehensive health association programs.

24 (2) An amount equal to ~~32%~~ 13.9% of the total yearly tobacco settlement proceeds ~~received after June~~
 25 ~~30, 2003~~; must be deposited in a state special revenue account. Subject to subsection (5), the funds referred to
 26 in this subsection may be used only for funding statewide programs for tobacco disease prevention designed to
 27 prevent children from starting tobacco use and to help adults who want to quit tobacco use. The department of
 28 public health and human services shall manage the tobacco disease prevention programs and shall adopt rules
 29 to implement the programs. In adopting rules, the department shall consider the standards contained in Best
 30 Practices for Comprehensive Tobacco Control Programs--August 1999 or its successor document, published by

1 the U.S. department of health and human services, centers for disease control and prevention.

2 (3) An amount equal to ~~47%~~ 35.1% of the total yearly tobacco settlement proceeds ~~received after June~~
3 ~~30, 2003~~, must be deposited in a state special revenue account. Subject to subsection (5), the funds referred to
4 in this subsection may be used only for:

5 (a) matching funds ~~to secure the maximum amount of federal funds~~ for the Children's Health Insurance
6 Program Act provided for in Title 53, chapter 4, part 10; ~~and~~

7 (b) matching funds for the healthy Montana kids plan provided for in Title 53, chapter 4, part 11; and
8 ~~(b)(c)~~ programs of the comprehensive health association provided for in Title 33, chapter 22, part 15,
9 with funding use subject to 33-22-1513.

10 (4) Funds deposited in a state special revenue account, as provided in subsection (2) or (3), that are not
11 appropriated within 2 years after the date of deposit must be transferred to the trust fund.

12 (5) The legislature shall appropriate money from the state special revenue accounts provided for in this
13 section for programs for tobacco disease prevention, for the programs referred to in the subsection establishing
14 the account, and for funding the tobacco prevention advisory board.

15 (6) Programs funded under this section that are private in nature may be funded through contracted
16 services."

17

18 **SECTION 2. SECTION 17-7-102, MCA, IS AMENDED TO READ:**

19 **"17-7-102. (Temporary) Definitions.** As used in this chapter, the following definitions apply:

20 (1) "Additional services" means different services or more of the same services.

21 (2) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges,
22 and any other person or any other administrative unit of state government that spends or encumbers public
23 money by virtue of an appropriation from the legislature under 17-8-101.

24 (3) "Approving authority" means:

25 (a) the governor or the governor's designated representative for executive branch agencies;

26 (b) the chief justice of the supreme court or the chief justice's designated representative for judicial
27 branch agencies;

28 (c) the speaker for the house of representatives;

29 (d) the president for the senate;

30 (e) appropriate legislative committees or a designated representative for legislative branch agencies;

1 or

2 (f) the board of regents of higher education or its designated representative for the university system.

3 (4) (a) "Base budget" means the resources for the operation of state government that are of an ongoing
4 and nonextraordinary nature in the current biennium. The base budget for the state general fund and state special
5 revenue funds may not exceed that level of funding authorized by the previous legislature. For the biennium
6 beginning July 1, 2011, the term includes items specified in section 85, Chapter 489, Laws of 2009.

7 (b) The term does not include funding for water adjudication if the accountability benchmarks contained
8 in 85-2-271 are not met.

9 (5) "Budget amendment" means a temporary appropriation as provided in Title 17, chapter 7, part 4.

10 (6) "Emergency" means a catastrophe, disaster, calamity, or other serious unforeseen and unanticipated
11 circumstance that has occurred subsequent to the time that an agency's appropriation was made, that was clearly
12 not within the contemplation of the legislature and the governor, and that affects one or more functions of a state
13 agency and the agency's expenditure requirements for the performance of the function or functions.

14 (7) "Funds subject to appropriation" means those funds required to be paid out of the treasury as set
15 forth in 17-8-101.

16 (8) "Necessary" means essential to the public welfare and of a nature that cannot wait until the next
17 legislative session for legislative consideration.

18 (9) "New proposals" means requests to provide new nonmandated services, to change program
19 services, to eliminate existing services, or to change sources of funding. For purposes of establishing the present
20 law base, the distinction between new proposals and the adjustments to the base budget to develop the present
21 law base is to be determined by the existence of constitutional or statutory requirements for the proposed
22 expenditure. Any proposed increase or decrease that is not based on those requirements is considered a new
23 proposal.

24 (10) (a) "Present law base" means, subject to subsection (10)(b), that level of funding needed under
25 present law to maintain operations and services at the level authorized by the previous legislature, including but
26 not limited to:

27 (i) changes resulting from legally mandated workload, caseload, or enrollment increases or decreases;

28 (ii) changes in funding requirements resulting from constitutional or statutory schedules or formulas;

29 (iii) inflationary or deflationary adjustments;

30 (iv) elimination of nonrecurring appropriations; and

1 (v) items specified in section 85, Chapter 489, Laws of 2009.

2 (b) For the budget for the 2011 legislative session, present law base must be adjusted by reducing
3 general fund budgets by the equivalent of that portion of the 2% across-the-board reduction assessed by the 61st
4 legislature on selected agencies that was allocated by those agencies to personal services in the 2011 biennium.
5 The director of the governor's office of budget and program planning and the legislative fiscal analyst shall agree
6 on a mechanism for determining how agencies have allocated this reduction.

7 (11) "Program" means a principal organizational or budgetary unit within an agency.

8 (12) "Requesting agency" means the agency of state government that has requested a specific budget
9 amendment.

10 (13) "University system unit" means the board of regents of higher education; office of the commissioner
11 of higher education; university of Montana, with campuses at Missoula, Butte, Dillon, and Helena; Montana state
12 university, with campuses at Bozeman, Billings, Havre, and Great Falls; the agricultural experiment station, with
13 central offices at Bozeman; the forest and conservation experiment station, with central offices at Missoula; the
14 cooperative extension service, with central offices at Bozeman; the bureau of mines and geology, with central
15 offices at Butte; the fire services training school at Great Falls; and the community colleges at Miles City,
16 Glendive, and Kalispell. (Terminates June 30, 2011--sec. 35(1), Ch. 486, L. 2009; sec. 82, Ch. 489, L. 2009.)

17 **17-7-102. (Effective July 1, 2011) Definitions.** As used in this chapter, the following definitions apply:

18 (1) "Additional services" means different services or more of the same services.

19 (2) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges,
20 and any other person or any other administrative unit of state government that spends or encumbers public
21 money by virtue of an appropriation from the legislature under 17-8-101.

22 (3) "Approving authority" means:

23 (a) the governor or the governor's designated representative for executive branch agencies;

24 (b) the chief justice of the supreme court or the chief justice's designated representative for judicial
25 branch agencies;

26 (c) the speaker for the house of representatives;

27 (d) the president for the senate;

28 (e) appropriate legislative committees or a designated representative for legislative branch agencies;

29 or

30 (f) the board of regents of higher education or its designated representative for the university system.

1 (4) (a) "Base budget" means the resources for the operation of state government that are of an ongoing
2 and nonextraordinary nature in the current biennium. The base budget for the state general fund and state special
3 revenue funds may not exceed that level of funding authorized by the previous legislature. For the biennium
4 beginning July 1, 2013, the base budget for the health resources division in the department of public health and
5 human services may also include funding appropriated in [section 4] during the 2013 biennium for the healthy
6 Montana kids plan.

7 (b) The term does not include funding for water adjudication if the accountability benchmarks contained
8 in 85-2-271 are not met.

9 (5) "Budget amendment" means a temporary appropriation as provided in Title 17, chapter 7, part 4.

10 (6) "Emergency" means a catastrophe, disaster, calamity, or other serious unforeseen and unanticipated
11 circumstance that has occurred subsequent to the time that an agency's appropriation was made, that was clearly
12 not within the contemplation of the legislature and the governor, and that affects one or more functions of a state
13 agency and the agency's expenditure requirements for the performance of the function or functions.

14 (7) "Funds subject to appropriation" means those funds required to be paid out of the treasury as set
15 forth in 17-8-101.

16 (8) "Necessary" means essential to the public welfare and of a nature that cannot wait until the next
17 legislative session for legislative consideration.

18 (9) "New proposals" means requests to provide new nonmandated services, to change program
19 services, to eliminate existing services, or to change sources of funding. For purposes of establishing the present
20 law base, the distinction between new proposals and the adjustments to the base budget to develop the present
21 law base is to be determined by the existence of constitutional or statutory requirements for the proposed
22 expenditure. Any proposed increase or decrease that is not based on those requirements is considered a new
23 proposal.

24 (10) "Present law base" means that level of funding needed under present law to maintain operations and
25 services at the level authorized by the previous legislature, including but not limited to:

26 (a) changes resulting from legally mandated workload, caseload, or enrollment increases or decreases;

27 (b) changes in funding requirements resulting from constitutional or statutory schedules or formulas;

28 (c) inflationary or deflationary adjustments; and

29 (d) elimination of nonrecurring appropriations.

30 (11) "Program" means a principal organizational or budgetary unit within an agency.

1 (12) "Requesting agency" means the agency of state government that has requested a specific budget
2 amendment.

3 (13) "University system unit" means the board of regents of higher education; office of the commissioner
4 of higher education; university of Montana, with campuses at Missoula, Butte, Dillon, and Helena; Montana state
5 university, with campuses at Bozeman, Billings, Havre, and Great Falls; the agricultural experiment station, with
6 central offices at Bozeman; the forest and conservation experiment station, with central offices at Missoula; the
7 cooperative extension service, with central offices at Bozeman; the bureau of mines and geology, with central
8 offices at Butte; the fire services training school at Great Falls; and the community colleges at Miles City,
9 Glendive, and Kalispell. (Terminates June 30, 2020--sec. 11, Ch. 319, L. 2007.)

10 **17-7-102. (Effective July 1, 2020) Definitions.** As used in this chapter, the following definitions apply:

11 (1) "Additional services" means different services or more of the same services.

12 (2) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges,
13 and any other person or any other administrative unit of state government that spends or encumbers public
14 money by virtue of an appropriation from the legislature under 17-8-101.

15 (3) "Approving authority" means:

16 (a) the governor or the governor's designated representative for executive branch agencies;

17 (b) the chief justice of the supreme court or the chief justice's designated representative for judicial
18 branch agencies;

19 (c) the speaker for the house of representatives;

20 (d) the president for the senate;

21 (e) appropriate legislative committees or a designated representative for legislative branch agencies;

22 or

23 (f) the board of regents of higher education or its designated representative for the university system.

24 (4) "Base budget" means the resources for the operation of state government that are of an ongoing and
25 nonextraordinary nature in the current biennium. The base budget for the state general fund and state special
26 revenue funds may not exceed that level of funding authorized by the previous legislature.

27 (5) "Budget amendment" means a temporary appropriation as provided in Title 17, chapter 7, part 4.

28 (6) "Emergency" means a catastrophe, disaster, calamity, or other serious unforeseen and unanticipated
29 circumstance that has occurred subsequent to the time that an agency's appropriation was made, that was clearly
30 not within the contemplation of the legislature and the governor, and that affects one or more functions of a state

1 agency and the agency's expenditure requirements for the performance of the function or functions.

2 (7) "Funds subject to appropriation" means those funds required to be paid out of the treasury as set
3 forth in 17-8-101.

4 (8) "Necessary" means essential to the public welfare and of a nature that cannot wait until the next
5 legislative session for legislative consideration.

6 (9) "New proposals" means requests to provide new nonmandated services, to change program
7 services, to eliminate existing services, or to change sources of funding. For purposes of establishing the present
8 law base, the distinction between new proposals and the adjustments to the base budget to develop the present
9 law base is to be determined by the existence of constitutional or statutory requirements for the proposed
10 expenditure. Any proposed increase or decrease that is not based on those requirements is considered a new
11 proposal.

12 (10) "Present law base" means that level of funding needed under present law to maintain operations and
13 services at the level authorized by the previous legislature, including but not limited to:

14 (a) changes resulting from legally mandated workload, caseload, or enrollment increases or decreases;

15 (b) changes in funding requirements resulting from constitutional or statutory schedules or formulas;

16 (c) inflationary or deflationary adjustments; and

17 (d) elimination of nonrecurring appropriations.

18 (11) "Program" means a principal organizational or budgetary unit within an agency.

19 (12) "Requesting agency" means the agency of state government that has requested a specific budget
20 amendment.

21 (13) "University system unit" means the board of regents of higher education; office of the commissioner
22 of higher education; university of Montana, with campuses at Missoula, Butte, Dillon, and Helena; Montana state
23 university, with campuses at Bozeman, Billings, Havre, and Great Falls; the agricultural experiment station, with
24 central offices at Bozeman; the forest and conservation experiment station, with central offices at Missoula; the
25 cooperative extension service, with central offices at Bozeman; the bureau of mines and geology, with central
26 offices at Butte; the fire services training school at Great Falls; and the community colleges at Miles City,
27 Glendive, and Kalispell."

28

29 **Section 3.** Section 53-4-1105, MCA, is amended to read:

30 **"53-4-1105. Rulemaking -- active enrollment -- plan coordination.** (1) The department shall adopt

1 rules necessary to implement this part, including plan administration, plan enrollment, outreach efforts, and
 2 standards of performance to allow enrollment partners to assist in enrolling children in the plan or other health
 3 coverage plans administered by the department.

4 (2) The rules must:

- 5 (a) establish a process for identifying and approving enrollment partners;
 6 (b) create and define an active enrollment process;
 7 (c) promote seamless movement between programs described in 53-4-1104(2);
 8 (d) promote accessible enrollment through enrollment partners;
 9 (e) provide, to the extent permitted by law, a single point of access in the department for plan members;
 10 (f) define income for purposes of determining eligibility for children's health coverage programs within

11 the plan; and

12 ~~— (g) provide for presumptive eligibility; and~~

13 ~~(h)(g)~~ encourage enrollment partners to actively enroll as many eligible, uninsured children as possible
 14 in the plan or in an employer-sponsored plan as described in 53-4-1108.

15 (3) The rules may provide for presumptive eligibility and include the development of enrollment partner
 16 training, technical assistance programs, and performance measures.

17 (4) The rules may provide for an exemption from the active enrollment process based upon an individual
 18 showing of:

- 19 (a) religious conviction;
 20 (b) private insurance that offers creditable coverage, as defined in 42 U.S.C. 300gg(c), obtained by the
 21 parents for the child from a private group or individual health insurance issuer or under a self-funded employer
 22 health plan; or
 23 (c) other compelling circumstances.

24 (5) The rules governing eligibility and premium assistance must be consistent with this part. Rules may
 25 include but are not limited to financial standards and criteria for income, nonfinancial criteria, family responsibility,
 26 residency, the application process, termination of eligibility, definition of terms, and confidentiality of applicant and
 27 recipient information."

28
 29 **NEW SECTION. Section 4. Appropriation.** (1) The following money is appropriated from the state
 30 special revenue account provided for in 17-6-606 to the department of public health and human services for the

1 purpose of the healthy Montana kids plan:

2 Fiscal year 2012 \$5,837,100

3 Fiscal year 2013 5,831,187

4 (2) The following money is appropriated from the federal special revenue fund to the department of public
5 health and human services as matching funds for the healthy Montana kids plan:

6 Fiscal year 2012 \$11,427,319

7 Fiscal year 2013 11,189,207

8

9 COORDINATION SECTION. **Section 5. Coordination instruction.** If House Bill No. 34 and [this act]
10 are both passed and approved and if both of these bills contain a section that amends 17-6-606, then sections
11 amending 17-6-606 are void and 17-6-606 must be amended as follows:

12 **"17-6-606. (Temporary) Tobacco settlement accounts -- purpose -- uses.** (1) The purpose of this
13 section is to dedicate a portion of the tobacco settlement proceeds to fund statewide programs ~~for tobacco~~
14 ~~disease prevention~~ designed to:

15 (a) discourage children from starting use of tobacco;

16 (b) assist adults in quitting use of tobacco;

17 (c) provide funds for the children's health insurance program;

18 ~~(e)~~(d) provide funds for the healthy Montana kids plan provided for in Title 53, chapter 4, part 11; and

19 ~~(d)~~(e) provide funds for the comprehensive health association programs.

20 (2) An amount equal to ~~32%~~ 13.9% of the total yearly tobacco settlement proceeds ~~received after June~~
21 ~~30, 2003;~~ must be deposited in a state special revenue account. Subject to subsection ~~(5)~~ (6), the funds referred
22 to in this subsection may be used only for funding statewide programs for tobacco disease prevention designed
23 to prevent children from starting tobacco use and to help adults who want to quit tobacco use. The department
24 of public health and human services shall manage the tobacco disease prevention programs and shall adopt rules
25 to implement the programs. In adopting rules, the department shall consider the standards contained in Best
26 Practices for Comprehensive Tobacco Control Programs--August 1999 or its successor document, published by
27 the U.S. department of health and human services, centers for disease control and prevention.

28 (3) An amount equal to ~~47%~~ 32.16% of the total yearly tobacco settlement proceeds ~~received after June~~
29 ~~30, 2003;~~ must be deposited in a state special revenue account. Subject to subsection ~~(5)~~ (6), the funds referred
30 to in this subsection may be used only for:

1 (a) matching funds for the Children's Health Insurance Program Act provided for in Title 53, chapter 4,
 2 part 10:

3 ~~(a)(b)~~ matching funds to secure the maximum amount of federal funds for the healthy Montana kids plan
 4 provided for in Title 53, chapter 4, part 11; ~~and,~~

5 ~~(b)(4)~~ An amount equal to 2.94% of the total yearly tobacco settlement proceeds must be deposited in
 6 a state special revenue account. Subject to subsection (6), the funds referred to in this subsection may be used
 7 only for programs of the Montana comprehensive health association provided for in Title 33, chapter 22, part 15,
 8 with funding use subject to 33-22-1513.

9 ~~(4)(5)~~ Funds deposited in a state special revenue account, as provided in subsection (2), ~~or~~ (3), or (4)
 10 that are not appropriated within 2 years after the date of deposit must be transferred to the trust fund.

11 ~~(5)(6)~~ The legislature shall appropriate money from the state special revenue accounts provided for in
 12 this section for programs for tobacco disease prevention, for the programs referred to in the subsection
 13 establishing the account, and for funding the tobacco prevention advisory board.

14 ~~(6)(7)~~ Programs funded under this section that are private in nature may be funded through contracted
 15 services. (Terminates June 30, 2011--sec. 35(1), Ch. 486, L. 2009.)

16 **17-6-606. (Effective July 1, 2011) Tobacco settlement accounts -- purpose -- uses.** (1) The purpose
 17 of this section is to dedicate a portion of the tobacco settlement proceeds to fund statewide programs ~~for tobacco~~
 18 ~~disease prevention~~ designed to:

19 (a) discourage children from starting use of tobacco;

20 (b) assist adults in quitting use of tobacco;

21 (c) provide funds for the children's health insurance program; ~~and~~

22 (d) provide funds for the healthy Montana kids plan provided for in Title 53, chapter 4, part 11; and

23 ~~(d)(e)~~ provide funds for the comprehensive health association programs.

24 (2) An amount equal to ~~32%~~ 13.9% of the total yearly tobacco settlement proceeds ~~received after June~~
 25 ~~30, 2003,~~ must be deposited in a state special revenue account. Subject to subsection ~~(5)~~ (6), the funds referred
 26 to in this subsection may be used only for funding statewide programs for tobacco disease prevention designed
 27 to prevent children from starting tobacco use and to help adults who want to quit tobacco use. The department
 28 of public health and human services shall manage the tobacco disease prevention programs and shall adopt rules
 29 to implement the programs. In adopting rules, the department shall consider the standards contained in Best
 30 Practices for Comprehensive Tobacco Control Programs--August 1999 or its successor document, published by

1 the U.S. department of health and human services, centers for disease control and prevention.

2 (3) An amount equal to ~~17%~~ 32.6% of the total yearly tobacco settlement proceeds ~~received after June~~
3 ~~30, 2003~~, must be deposited in a state special revenue account. Subject to subsection ~~(5)~~ (6), the funds referred
4 to in this subsection may be used only for:

5 (a) matching funds ~~to secure the maximum amount of federal funds~~ for the Children's Health Insurance
6 Program Act provided for in Title 53, chapter 4, part 10; and

7 (b) matching funds for the healthy Montana kids plan provided for in Title 53, chapter 4, part 11.

8 (4) An amount equal to 2.94% of the total yearly tobacco settlement proceeds must be deposited in a
9 state special revenue account. Subject to subsection (6), the funds referred to in this subsection may be used
10 only for programs of the Montana comprehensive health association provided for in Title 33, chapter 22, part 15,
11 with funding use subject to 33-22-1513.

12 ~~(4)(5)~~ Funds deposited in a state special revenue account, as provided in subsection (2), ~~or~~ (3), ~~or~~ (4)
13 that are not appropriated within 2 years after the date of deposit must be transferred to the trust fund.

14 ~~(5)(6)~~ The legislature shall appropriate money from the state special revenue accounts provided for in
15 this section for programs for tobacco disease prevention, for the programs referred to in the subsection
16 establishing the account, and for funding the tobacco prevention advisory board.

17 ~~(6)(7)~~ Programs funded under this section that are private in nature may be funded through contracted
18 services."

19

20 NEW SECTION. Section 6. Effective date. [This act] is effective July 1, 2011.

21

22 NEW SECTION. SECTION 7. TERMINATION. [SECTION 2(4)(A)] TERMINATES JUNE 30, 2013.

23

- END -