

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 3113

By: Askins

AS INTRODUCED

An Act relating to Prevention of Youth Access to Tobacco Act; establishing revolving fund; establishing purposes for expenditures; providing for investment of funds; providing for disposition of interest income; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 600.13 of Title 37, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created in the State Treasury a revolving fund to be designated the "Tobacco Settlement Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations and shall consist of any monies received by or on behalf of the State of Oklahoma pursuant to any settlement with or judgment against any tobacco company or companies and income and investment earnings of the fund. All monies accruing to the credit of this fund are hereby appropriated and may be budgeted and expended for public awareness prevention programs regarding the use and abuse of tobacco products and prevention of the use and abuse of tobacco

products by minors. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

B. Notwithstanding any other provision of law to the contrary, the principal amount of the fund shall be invested with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims. The monies in the fund shall be managed by diversifying the investments so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so.

C. All interest income or investment gains resulting from the management of the Tobacco Settlement Revolving Fund shall become a part of the principal amount of the fund balance and may be invested or reinvested as other monies contained in the fund unless otherwise provided by the Legislature.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-2-9194

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