

1                                   **HOSPITAL PROVIDER ASSESSMENT**

2                                   **ACCOUNT AMENDMENTS**

3                                   1999 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: Margaret Dayton**

6 AN ACT RELATING TO HEALTH; REPEALING THE HOSPITAL PROVIDER  
7 ASSESSMENT UPON THE RECEIPT OF TOBACCO SETTLEMENT FUNDS.

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 AMENDS:

10           **26-40-114**, as enacted by Chapter 360, Laws of Utah 1998

11 *Be it enacted by the Legislature of the state of Utah:*

12           Section 1. Section **26-40-114** is amended to read:

13           **26-40-114. Repeal of assessment.**

14           (1) This assessment shall be repealed upon:

15           (a) the certification by the executive director or court order that the sooner of the following  
16 has occurred:

17           ~~[(1)]~~ (i) the effective date of any existing or future action by Congress to disqualify the  
18 assessments from counting toward state funds available to be used to determine the federal  
19 financial participation in the program; or

20           ~~[(2)]~~ (ii) the effective date of any decision, enactment, or other determination by the  
21 Legislature or by any court, officer, department, or agency of the state or of the federal government  
22 that has the effect of disqualifying the assessments from counting toward state funds available to  
23 be used to determine federal financial participation in the program; or

24           (b) the date on which the state receives the first of the 25 annual payments under the terms  
25 of the settlement agreement that the state entered into with leading tobacco manufacturers on  
26 November 23, 1998.

27           (2) Nothing in Subsection (1)(b) may be construed as relating to the initial payment, as

28 defined under the terms of the settlement agreement, that the state is scheduled to receive before  
29 June 30, 2000, and in addition to the first annual payment.

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**Legislative Review Note**

**as of 2-1-99 1:40 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**