

28 manufacturers on November 23, 1998, shall be deposited into the permanent state trust fund
29 created by and operated under Utah Constitution Article XXII, Section 4.

30 (2) On and after July 1, 2003 and until July 1, 2004 20% of the funds of any kind
31 received by the state that are related to the settlement agreement that the state entered into with
32 leading tobacco manufacturers shall be deposited into the permanent state trust fund created by
33 and operated under Utah Constitution Article XXII, Section 4.

34 (3) On and after July 1, 2004 and until July 1, [~~2007-50%~~] 2006, 30% of all funds of
35 any kind received by the state that are related to the settlement agreement that the state entered
36 into with leading tobacco manufacturers shall be deposited into the [~~permanent state trust fund~~
37 ~~created by and operated under Utah Constitution Article XXII, Section 4~~] General Fund Budget
38 Reserve Account created in Section 63-38-2.5.

39 (4) On and after July 1, [~~2007, 60%~~] 2006, 45% of all funds of every kind that are
40 received by the state that are related to the settlement agreement that the state entered into with
41 leading tobacco manufacturers on November 23, 1998, shall be deposited into the permanent
42 state trust fund created by and operated under Utah Constitution Article XXII, Section 4.

43 (5) Funds in the permanent state trust fund shall be deposited or invested pursuant to
44 Section 51-7-12.1.

45 (6) (a) In accordance with Utah Constitution Article XXII, Section 4, the interest and
46 dividends earned annually from the permanent state trust fund shall be deposited in the General
47 Fund. There shall be transferred on an ongoing basis from the General Fund to the permanent
48 state trust fund created under Utah Constitution Article XXII, Section 4, an amount equal to
49 50% of the interest and dividends earned annually from the permanent state trust fund. The
50 amount transferred into the fund under this Subsection (6)(a) shall be treated as principal.

51 (b) Any annual interest or dividends earned from the permanent state trust fund that
52 remain in the General Fund after Subsection (6)(a) may be appropriated by the Legislature.

53 (c) Any realized or unrealized gains or losses on investments in the permanent state
54 trust fund shall remain in the permanent state trust fund.

55 **Section 2. Coordinating H.B. 330 with H.B. 260.**

56 If this H.B. 330 and H.B. 260, Tobacco Fund Allocation Amendment, both pass, it is
57 the intent of the Legislature that the amendments in Subsection 63-97-301(3) in this H.B. 330
58 supercede the amendments to Subsection 63-97-301(3) in H.B. 260.

Legislative Review Note
as of 3-1-04 8:43 PM

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

Office of Legislative Research and General Counsel