SENATE BILL NO. 2302

AN ACT TO AMEND SECTION 43-13-407, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2002 THE LEGISLATURE SHALL APPROPRIATE AN ANNUAL AMOUNT FROM THE TOBACCO LITIGATION HEALTH CARE EXPENDABLE FUND EQUAL TO ANY INCREASE IN PREMIUM COST FOR COVERAGE UNDER THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE PLAN; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 43-13-407, Mississippi Code of 1972, is amended as follows:

43-13-407. (1) In accordance with the purposes of this article, there is established in the State Treasury the Health Care Expendable Fund, into which shall be transferred from the Health Care Trust Fund the following sums:

(a) In fiscal year 2000, Fifty Million Dollars ($50,000,000.00);

(b) In fiscal year 2001, Fifty-five Million Dollars ($55,000,000.00);

(c) In fiscal year 2002, Sixty Million Five Hundred Thousand Dollars ($60,500,000.00);

(d) In fiscal year 2003, Sixty-six Million Five Hundred Fifty Thousand Dollars ($66,550,000.00);

(e) In fiscal year 2004 and each subsequent fiscal year, a sum equal to the average annual amount of the income from the investment of the funds in the Health Care Trust Fund since July 1, 1999.

(2) In any fiscal year in which interest and dividends from the investment of the funds in the Health Care Trust Fund are not sufficient to fund the full amount of the annual transfer into the Health Care Expendable Fund as required in subsection (1) of this
section, the State Treasurer shall transfer from tobacco
settlement installment payments an amount that is sufficient to
fully fund the amount of the annual transfer.

(3) All income from the investment of the funds in the
Health Care Expendable Fund shall be credited to the account of
the Health Care Expendable Fund. Any funds in the Health Care
Expendable Fund at the end of a fiscal year shall not lapse into
the State General Fund.

(4) The funds in the Health Care Expendable Fund shall be
available for expenditure pursuant to specific appropriation by
the Legislature beginning in fiscal year 2000, and shall be
expended exclusively for health care purposes. Provided, however,
that beginning with fiscal year 2002, the Legislature shall
annually appropriate from the Health Care Expendable Fund an
amount necessary to pay for the cost of any increase in premiums
to be paid by employees or by the state under the State and School
Employees Health Insurance Plan, as certified to the Legislative
Budget Office by the State and School Employees Health Insurance
Management Board.

SECTION 2. This act shall take effect and be in force from
and after its passage.