

By: Representatives Flaggs, Compretta

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 55

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE  
 2 MISSISSIPPI CONSTITUTION OF 1890 TO ADD A NEW SECTION, TO BE  
 3 DESIGNATED AS SECTION \_\_\_\_\_, TO PROVIDE THAT ALL FUNDS RECEIVED  
 4 AS A RESULT OF THE SETTLEMENT OF A CERTAIN LAWSUIT BROUGHT AGAINST  
 5 THE TOBACCO COMPANIES BY THE STATE OF MISSISSIPPI AS DIRECTED BY  
 6 COURT ORDER, OR AS A RESULT ANY SETTLEMENT OF ANY LAWSUIT BROUGHT  
 7 AGAINST THE TOBACCO COMPANIES BY ANOTHER STATE, SHALL BE PLACED IN  
 8 A TRUST FUND AND SHALL REMAIN INVIOLETE AND SHALL NOT BE  
 9 APPROPRIATED BY THE LEGISLATURE; TO PROVIDE THAT THE LEGISLATURE  
 10 MAY PASS LAWS GOVERNING THE INVESTMENT OF SUCH FUNDS; TO PROVIDE  
 11 THAT THE INVESTMENT EARNINGS MAY BE PLACED IN AN EXPENDABLE FUND  
 12 AND SUBJECT TO APPROPRIATION BY THE LEGISLATURE EXCLUSIVELY FOR  
 13 HEALTH CARE RELATED BUDGET EXPENSES; AND FOR RELATED PURPOSES.

14 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF  
 15 MISSISSIPPI, That the following amendment to the Mississippi  
 16 Constitution of 1890 is proposed to the qualified electors of the  
 17 state:

18 Amend the Mississippi Constitution of 1890 to create a new  
 19 Section \_\_\_\_\_ to read as follows:

20 All funds received by the State of Mississippi as directed by  
 21 court order from the tobacco companies in settlement of a certain  
 22 lawsuit brought against those companies by the State of  
 23 Mississippi, or as a result of the settlement of any lawsuit  
 24 brought against tobacco companies by another state, shall be  
 25 placed in a trust fund and shall remain inviolate and shall not be  
 26 appropriated by the Legislature. The Legislature may pass laws  
 27 governing the investment of the funds in such trust fund and such  
 28 earnings from such investments each year may be placed in an  
 29 expendable fund and may be subject to appropriation by the  
 30 Legislature for the exclusive purpose of health care related  
 31 budget expenses.



32 BE IT RESOLVED, That this amendment shall be submitted to the  
33 qualified electors at an election held on the first Tuesday after  
34 the first Monday of November 2002, as provided by Section 273 of  
35 the Constitution and by law.

36 BE IT FURTHER RESOLVED, That the explanation of this  
37 amendment for the ballot shall read as follows: "This proposed  
38 amendment places all funds received as a result of the state's  
39 tobacco settlement in a trust fund which shall remain inviolate  
40 and not subject to legislative appropriation. The amendment also  
41 provides that the Legislature may pass laws governing the  
42 investment of such funds which the earnings of such investment may  
43 be placed in another fund which may be appropriated only for  
44 health care related budget expenses."

