

By: Representatives Brown, Ellington

To: Appropriations

HOUSE BILL NO. 318

1 AN ACT TO AMEND SECTION 43-13-407, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE LEGISLATURE SHALL REPAY TO THE HEALTH CARE
3 TRUST FUND, IN FIFTEEN EQUAL ANNUAL INSTALLMENT PAYMENTS BEGINNING
4 ON JULY 1, 2005, THE FUNDS THAT WERE TRANSFERRED INTO THE HEALTH
5 CARE EXPENDABLE FUND DURING THE YEAR 2002; AND FOR RELATED
6 PURPOSES.

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

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

10 43-13-407. (1) In accordance with the purposes of this
11 article, there is established in the State Treasury the Health
12 Care Expendable Fund, into which shall be transferred from the
13 Health Care Trust Fund the following sums:

14 (a) In fiscal year 2000, Fifty Million Dollars
15 (\$50,000,000.00);

16 (b) In fiscal year 2001, Fifty-five Million Dollars
17 (\$55,000,000.00);

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

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

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

26 (2) In any fiscal year in which interest and dividends from
27 the investment of the funds in the Health Care Trust Fund are not
28 sufficient to fund the full amount of the annual transfer into the
29 Health Care Expendable Fund as required in subsection (1) of this



30 section, the State Treasurer shall transfer from tobacco
31 settlement installment payments an amount that is sufficient to
32 fully fund the amount of the annual transfer.

33 (3) (a) On March 6, 2002, the State Treasurer shall
34 transfer the sum of Eighty-seven Million Dollars (\$87,000,000.00)
35 from the Health Care Trust Fund into the Health Care Expendable
36 Fund. In addition, at the time the State of Mississippi receives
37 the 2002 calendar year tobacco settlement installment payment, the
38 State Treasurer shall deposit the full amount of that installment
39 payment into the Health Care Expendable Fund.

40 (b) * * * The Legislature shall repay to the Health
41 Care Trust Fund * * * the full amount of the funds that were
42 transferred and deposited into the Health Care Expendable Fund
43 under the provisions of paragraph (a) of this subsection in
44 fifteen (15) equal annual installment payments. The installment
45 payments shall be made on July 1 of each year, beginning on July
46 1, 2005, and ending on July 1, 2019. No interest shall be due or
47 paid on the funds that are repaid to the Health Care Trust Fund.

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

53 (5) The funds in the Health Care Expendable Fund shall be
54 available for expenditure under specific appropriation by the
55 Legislature beginning in fiscal year 2000, and shall be expended
56 exclusively for health care purposes.

57 (6) Subsections (1), (2), (4) and (5) of this section shall
58 stand repealed on July 1, 2004.

59 **SECTION 2.** This act shall take effect and be in force from
60 and after July 1, 2003.

