
SENATE BILL 6485

State of Washington

55th Legislature

1998 Regular Session

By Senators West, Deccio, Swecker, Hale, Morton, Strannigan, Benton, Schow, Johnson, Anderson, McCaslin, Hochstatter, Roach, Wood, Prince, Sellar, Horn, McDonald and Oke

Read first time 01/20/98. Referred to Committee on Ways & Means.

1 AN ACT Relating to the recovery of the cost of tobacco-related
2 health care; adding a new section to chapter 43.79 RCW; and providing
3 for submission of this act to a vote of the people.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.79 RCW
6 to read as follows:

7 (1) In any legal action, or settlement thereof, by the state of
8 Washington to recover moneys expended by the state for the tobacco-
9 related health care costs of state residents, and to the maximum extent
10 permitted by court order, negotiated settlement, or federal law, the
11 proceeds received by the state shall be subject to legislative
12 appropriation and shall be deposited as follows:

13 (a) Two-thirds of the proceeds shall be deposited to the education
14 enhancement account. The education enhancement account is created in
15 the state treasury. Moneys in the account may be spent only after
16 appropriation and may be used exclusively for enhancing and improving
17 the common school system of the state. Moneys in the account shall not
18 be used to (i) replace or supplant existing state or local funding,
19 (ii) meet the state's constitutional obligation to provide for basic

1 education programs under chapter 28A.150 RCW, or (iii) increase the
2 compensation and benefits of personnel in the common schools.

3 (b) One-third of the proceeds shall be deposited to the health
4 services account established by RCW 43.72.900 and may be used
5 exclusively for funding the enrollment of eligible persons in the basic
6 health plan under chapter 70.47 RCW.

7 (2) In any legal action, or settlement thereof, by the state of
8 Washington to recover moneys expended by the state for the tobacco-
9 related health care costs of state residents, the attorney general
10 shall seek a legal resolution of the action that is consistent with and
11 maximizes the effect of subsection (1) of this section.

12 NEW SECTION. **Sec. 2.** If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected.

16 NEW SECTION. **Sec. 3.** The secretary of state shall submit this act
17 to the people for their adoption and ratification, or rejection, at the
18 next general election to be held in this state, in accordance with
19 Article II, section 1 of the state Constitution and the laws adopted to
20 facilitate its operation.

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