
SUBSTITUTE SENATE BILL 6354

State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Deccio, Wojahn, Benton, Thibaudeau, Wood, Franklin, Sellar, West, Hale, Anderson, Kohl, Winsley, Haugen, Patterson and Goings)

Read first time . Referred to Committee on .

1 AN ACT Relating to moneys received by the state pursuant to
2 litigation or settlements with the tobacco industry; and adding a new
3 section to chapter 43.79 RCW.

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 against tobacco companies for consumer protection and
9 antitrust violations and to recover moneys for the tobacco-related
10 health care costs, and to the maximum extent permitted by court order,
11 negotiated settlement, or federal law, the proceeds received by the
12 state, exclusive of costs and fees, shall be subject to legislative
13 appropriation and shall be deposited as follows:

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

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

4 (b) One-half of the proceeds shall be deposited to the health
5 services account established by RCW 43.72.900 and may be used
6 exclusively for funding the enrollment of eligible persons in the basic
7 health plan under chapter 70.47 RCW, including funding a smoking
8 cessation benefit in the basic health plan.

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

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

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