

SECOND REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 31

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY SENATOR GROSS.

Pre-filed December 27, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

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### JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, by adding thereto one new section relating to the disposition of tobacco settlement funds.

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*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2002, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendments, to be presented to the voters as separate questions, to article X of the Constitution of the state of Missouri, and the amendment receiving the greater majority of votes cast for adoption shall supercede:

Section A. Article X, Constitution of Missouri, is amended by adding thereto one new section, to be submitted to the voters as a separate question, to be known as section 18(f), to read as follows:

**Section 18(f). All moneys received by the state of Missouri which are the proceeds of any award or settlement resulting from a final order in any dispute between the state of Missouri and any company which manufactures, sells or promotes tobacco or tobacco products shall be deposited into the Missouri tobacco settlement trust fund, shall be excluded from "total state revenues" as defined in section 17 of this article and shall be subject to appropriation to the healthy families trust fund by the general assembly for the following purposes only:**

**(1) The healthy families trust fund - seniors and catastrophic prescription drug account;**

**(2) The healthy families trust fund - health care treatment and access account;**

**(3) The healthy families trust fund - tobacco prevention, education, and cessation account;**

**(4) The healthy families trust fund - life sciences research account; and**

**(5) The healthy families trust fund - early childhood care and education account.**

Section B. Pursuant to section 116.155, RSMo, the official ballot title shall be:

"Shall the tobacco settlement proceeds be excluded from total state revenues and used as provided by general law?"

Pursuant to section 116.155, RSMo, the fiscal note summary shall be:

"Approval of this ballot measure excludes tobacco settlement proceeds from constitutional revenue limits in an amount of a projected maximum of one hundred thirty-five million dollars per year to two hundred seven million dollars per year at no cost to taxpayers."

Section C. Article X, Constitution of Missouri, is amended by adding thereto one new section, to be submitted to the voters as a separate question, to be known as section 18(f), to read as follows:

**Section 18(f). All moneys received by the state of Missouri which are the proceeds of any award or settlement resulting from a final order in any dispute between the state of Missouri and any company which manufactures, sells or promotes tobacco or tobacco products shall be deposited into the Missouri tobacco settlement trust fund, and shall be included in "total state revenues" as defined in section 17 of this article. Any refund made pursuant to this article shall be funded by a proportionate amount from the tobacco settlement trust fund. Tobacco proceeds which do not exceed the revenue limit established in section 18 of this article shall be subject to appropriation to the healthy families trust fund by the general assembly for the following purposes only:**

**(1) The healthy families trust fund - seniors and catastrophic prescription drug account;**

**(2) The healthy families trust fund - health care treatment and**

**access account;**

**(3) The healthy families trust fund - tobacco prevention, education, and cessation account;**

**(4) The healthy families trust fund - life sciences research account; and**

**(5) The healthy families trust fund - early childhood care and education account.**

Section D. Pursuant to section 116.155, RSMo, the official ballot title shall be:

"Shall the tobacco proceeds be included in total state revenues, and proceeds which do not exceed the revenue limit be used as provided by general law?"

Pursuant to section 116.155, RSMo, the fiscal note summary shall be:

"Approval of this ballot measure makes tobacco settlement proceeds subject to constitutional revenue limits in an amount of a projected maximum of one hundred thirty-five million dollars per year to two hundred seven million dollars per year at no additional cost to taxpayers."

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Bill

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