

# HOUSE BILL No. 4980

June 26, 1997, Introduced by Reps. Gilmer, Ciaramitaro, Johnson, Emerson, Bankes, Martinez, Crissman, Hammerstrom, Birkholz, Cassis, Gire, Bobier, Palamara, Schauer, Brater, LaForge, Schroer, McBryde and Godchaux and referred to the Committee on Appropriations.

A bill to amend 1846 RS 12, entitled  
"Of certain state officers,"  
by amending section 33 (MCL 14.33), as amended by 1996 PA 563.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 33. (1) ~~All moneys~~ EXCEPT AS OTHERWISE PROVIDED IN  
2 SUBSECTION (3), ALL MONEY received by the attorney general, for  
3 debts due, or penalties forfeited to the people of this state,  
4 shall be paid by him or her, immediately after receipt, into the  
5 state treasury.

6       (2) Except as otherwise provided in ~~this section~~  
7 SUBSECTIONS (1) AND (3), any proceeds from a lawsuit settlement  
8 entered into by a state agency, department, division, bureau,  
9 board, commission, council, authority, or other body in the  
10 executive branch of state government or an individual acting on  
11 behalf of the executive branch of state government as the result

1 of an action instituted on behalf of the state against a private  
2 individual or business or any other private organization shall be  
3 deposited into a restricted fund to be used as provided by law.  
4 In case of a conflict between this section and another state or  
5 federal law that requires allocation to a specific fund or  
6 account or for a specific purpose or purposes, that other state  
7 statute or federal law shall prevail.

8       (3) ANY PROCEEDS FROM A LAWSUIT INITIATED BY OR SETTLEMENT  
9 AGREEMENT ENTERED INTO ON BEHALF OF THIS STATE AGAINST A MANUFAC-  
10 Turer OF TOBACCO PRODUCTS BY THE ATTORNEY GENERAL SHALL BE CRED-  
11 ITED TO THE HEALTHY MICHIGAN FUND CREATED UNDER SECTION 5953 OF  
12 THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.5953, TO BE USED TO  
13 IMPROVE THE HEALTH OF THE CITIZENS OF THIS STATE. FROM THE PRO-  
14 CEEDS CREDITED UNDER THIS SUBSECTION TO THE HEALTHY MICHIGAN FUND  
15 CREATED UNDER SECTION 5953 OF THE PUBLIC HEALTH CODE, 1978 PA  
16 368, MCL 333.5953, PRIORITY IN EXPENDITURE SHALL BE GIVEN TO BOTH  
17 OF THE FOLLOWING:

18       (A) SMOKING CESSATION AND ANTITOBACCO ACTIVITIES WITH AN  
19 EMPHASIS ON CHILDREN AND PREGNANT WOMEN.

20       (B) MATERNAL AND CHILD HEALTH INITIATIVES.

21       (4) ~~—(3)—~~ As used in this section, "proceeds" means a cash  
22 settlement. Proceeds does not include real property or stocks,  
23 bonds, or other evidences of indebtedness unless these items are  
24 to be converted into cash as part of the settlement or payments  
25 to be made to a specifically designated party as a result of the  
26 settlement of a contractual dispute between the state and a party  
27 or parties to a contract with the state.