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**HOUSE BILL No. 2302**

By Representatives Patterson, DeCastro, Hayzlett, Huff, Merrick, Judy  
Morrison, Rehorn, Tafanelli and Toelkes

2-12

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10 AN ACT concerning disposition of certain tobacco litigation settlement  
11 proceeds; establishing the health care for seniors fund.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. (a) There is hereby established in the state treasury the  
15 health care for seniors fund which shall be administered by the secretary  
16 of aging as provided by law.

17 (b) Notwithstanding the provisions of K.S.A. 38-2101, and amend-  
18 ments thereto, of the moneys received by the state pursuant to the to-  
19 bacco litigation settlement agreements entered into by the attorney gen-  
20 eral on behalf of the state of Kansas, or pursuant to any judgment  
21 rendered, regarding the litigation against tobacco industry companies and  
22 related entities, an amount equal to 30% of any amount so received shall  
23 be deposited in the state treasury and credited to the health care for  
24 seniors fund established by this section.

25 (c) All moneys credited to the health care for seniors fund shall be  
26 used for additional funding for health care programs, assistance and serv-  
27 ices for seniors. Moneys allocated or appropriated from the health care  
28 for seniors fund shall not be used to replace or substitute for moneys  
29 appropriated from the state general fund in the immediately preceding  
30 fiscal year. All expenditures from the health care for seniors fund shall be  
31 made in accordance with appropriation acts upon warrants of the director  
32 of accounts and reports issued pursuant to vouchers approved by the  
33 secretary of aging or the secretary's designee.

34 (d) On or before the 10th day of each month, the director of accounts  
35 and reports shall transfer from the state general fund to the health care  
36 for seniors fund interest earnings based on (1) the average daily balance  
37 of moneys in the health care for seniors fund and (2) the net earnings  
38 rate of the pooled money investment portfolio for the preceding month.

39 (e) As used in this section, "senior" means an individual who resides  
40 in Kansas, who is 60 years of age or older and who is in need of health  
41 care, including any tobacco-related illness.

42 Sec. 2. This act shall take effect and be in force from and after its  
43 publication in the statute book.