



February 22, 2002

**ENGROSSED  
SENATE BILL No. 491**

DIGEST OF SB 491 (Updated February 19, 2002 5:00 PM - DI 47)

**Citations Affected:** IC 24-3.

**Synopsis:** Tobacco settlement enforcement proceedings. Specifies that the attorney general may disclose certain information in an action to enforce the tobacco master settlement. Permits the attorney general to receive reasonable attorney's fees in connection with enforcing the tobacco master settlement.

**Effective:** July 1, 1999 (retroactive).

**Wyss, Blade**

(HOUSE SPONSORS — HASLER, YOUNT, MURPHY)

January 14, 2002, read first time and referred to Committee on Public Policy.  
January 31, 2002, amended, reported favorably — Do Pass.  
February 4, 2002, read second time, ordered engrossed. Engrossed.  
February 5, 2002, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

February 11, 2002, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.  
February 21, 2002, reported — Do Pass.

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ES 491—LS 7155/DI 106+



February 22, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## ENGROSSED SENATE BILL No. 491

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A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 24-3-3.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 1999 (RETROACTIVE)]:  
4 **Chapter 3.5. Tobacco Qualified Escrow Fund Proceedings**  
5 **Sec. 1. Notwithstanding any other provision of law, for any**  
6 **official purpose, including enforcing IC 24-3-3 or a judgment in a**  
7 **civil action based on IC 24-3-3, the attorney general may disclose**  
8 **information obtained under IC 24-3-3-11 or IC 24-3-3-14.**  
9 **Sec. 2. The attorney general is entitled to reasonable attorney's**  
10 **fees from a tobacco manufacturer in settlement of matters related**  
11 **to IC 24-3-3, or as a remedy for an adjudicated violation of**  
12 **IC 24-3-3.**  
13 SECTION 2. **An emergency is declared for this act.**

ES 491—LS 7155/DI 106+



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COMMITTEE REPORT

Mr. President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 491, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 4, delete "Settlement Enforcement" and insert **"Qualified Escrow Fund"**.

Page 1, line 5, delete "For purposes of" and insert **"Notwithstanding any other provision of law, for any official purpose, including"**.

Page 1, line 5, after "or" insert **"a judgment"**.

Page 1, line 6, delete "this chapter" and insert **"IC 24-3-3"**.

Page 1, line 9, delete "in connection with enforcing IC 24-3-3." and insert **"from a tobacco manufacturer in settlement of matters related to IC 24-3-3, or as a remedy for an adjudicated violation of IC 24-3-3."**

and when so amended that said bill do pass.

(Reference is to SB 491 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred Senate Bill 491, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

LYTLE, Chair

Committee Vote: yeas 13, nays 0.

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