

MICHIGAN TRUST FUND ACT (EXCERPT)
Act 489 of 2000

12.253 Michigan opioid healing and recovery fund.

Sec. 3. (1) The Michigan opioid healing and recovery fund is created in the department of treasury.

(2) The state treasurer shall deposit all proceeds received by this state as a result of any judgment, settlement, or compromise of claims pertaining to violations, or alleged violations, of law related to the manufacture, marketing, distribution, dispensing, or sale of opioids into the Michigan opioid healing and recovery fund, except for proceeds received under the Medicaid false claim act. The state treasurer may deposit money or other assets from any other source into the Michigan opioid healing and recovery fund as provided by law.

(3) The state treasurer shall direct the investment of the Michigan opioid healing and recovery fund consistent with 1855 PA 105, MCL 21.141 to 21.147, and shall credit interest and earnings from the investments to the Michigan opioid healing and recovery fund.

(4) Money in the Michigan opioid healing and recovery fund at the close of the fiscal year must remain in the Michigan opioid healing and recovery fund and must not lapse to the general fund.

(5) The department of treasury is the administrator of the Michigan opioid healing and recovery fund for audits of the fund.

(6) Subject to subsection (7), the department of treasury shall expend money from the Michigan opioid healing and recovery fund, on appropriation, in a manner and for purposes consistent with the opioid judgment, settlement, or compromise of claims from which the money was received.

(7) Money in the Michigan opioid healing and recovery fund must be used to create or supplement programs or services. The money must not be used to replace any other governmental funds that would otherwise have been appropriated or expended for any other program or service.

(8) Subject to subsection (9), the department of the attorney general may expend money from the Michigan opioid healing and recovery fund, on appropriation, to pay for costs and reasonable attorney fees incurred in the pursuit of an opioid judgment, settlement, or compromise of claims, except for a pursuit under the Medicaid false claim act.

(9) If possible, the department of the attorney general shall attempt to have costs and attorney fees described in subsection (8) paid by a defendant or source other than the Michigan opioid healing and recovery fund.

(10) As used in this section, "Medicaid false claim act" means the medicaid false claim act, 1977 PA 72, MCL 400.601 to 400.615.

History: Add. 2022, Act 83, Imd. Eff. May 19, 2022.

Compiler's note: Former MCL 12.253, which pertained to establishment of Michigan tobacco settlement trust fund, was repealed by Act 232 of 2005, Imd. Eff. Nov. 21, 2005.