

## **OPIOID LIABILITY LITIGATION ACT**

### **Act 85 of 2022**

AN ACT to prohibit the commencement of civil actions relating to opioids by certain governmental officers and entities.

**History:** 2022, Act 85, Imd. Eff. May 19, 2022.

*The People of the State of Michigan enact:*

#### **691.1671 Short title.**

Sec. 1. This act may be cited as the "opioid liability litigation act".

**History:** 2022, Act 85, Imd. Eff. May 19, 2022.

#### **691.1672 Definitions.**

Sec. 2. As used in this act:

(a) "Allergan settlement" means the master settlement agreement arising out of the MDL and entered into by this state with Allergan Pharmaceuticals.

(b) "CVS settlement" means the master settlement agreement arising out of the MDL and entered into by this state with CVS Pharmacy.

(c) "Distributor settlement" means the master settlement agreement arising out of the MDL and entered into by this state with AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation.

(d) "Janssen settlement" means the master settlement agreement arising out of the MDL and entered into by this state with Janssen Pharmaceuticals, Inc.

(e) "MDL" means *In re Nat'l Prescription Opiate Litigation*, multidistrict litigation consolidated in the United States District Court for the Northern District of Ohio, Case No. 1:17-MD-2804.

(f) "Political subdivision" means a public body corporate in this state, an agency of a public body corporate in this state, a nonincorporated body in this state of whatever nature, or an agency of a nonincorporated body in this state. Political subdivision includes a county, city, village, township, school district, or special district or authority of this state. Political subdivision does not include this state.

(g) "Teva settlement" means the master settlement agreement arising out of the MDL and entered into by this state with Teva Pharmaceuticals.

(h) "Walgreens national settlement" means the master settlement agreement arising out of the MDL and entered into by this state with Walgreens Pharmacy.

(i) "Walmart settlement" means the master settlement agreement arising out of the MDL and entered into by this state with Walmart.

**History:** 2022, Act 85, Imd. Eff. May 19, 2022;—Am. 2023, Act. 228, Imd. Eff. Nov. 22, 2023.

#### **691.1673 Prohibition on civil actions related to certain opioid settlements.**

Sec. 3. A political subdivision of this state shall not commence or maintain an action as follows:

(a) After January 1, 2021, an action related to the released claims as defined in the distributor settlement against the released entities as defined in the distributor settlement.

(b) After January 1, 2021, an action related to the released claims as defined in the Janssen settlement against the released entities as defined in the Janssen settlement.

(c) After January 1, 2022, an action related to the released claims as defined in the Allergan settlement against the released entities as defined in the Allergan settlement.

(d) After January 1, 2022, an action related to the released claims as defined in the CVS settlement against the released entities as defined in the CVS settlement.

(e) After January 1, 2022, an action related to the released claims as defined in the Teva settlement against the released entities as defined in the Teva settlement.

(f) After January 1, 2022, an action related to the released claims as defined in the Walgreens national settlement against the released entities as defined in the Walgreens national settlement.

(g) After January 1, 2022, an action related to the released claims as defined in the Walmart settlement against the released entities as defined in the Walmart settlement.

**History:** 2022, Act 85, Imd. Eff. May 19, 2022;—Am. 2023, Act. 228, Imd. Eff. Nov. 22, 2023.