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SENATE BILL NO. 1414

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on January 19, 2023)

(Patron Prior to Substitute—Senator Pillion)

A BILL to amend the Code of Virginia by adding in Article 12 of Chapter 22 of Title 2.2 a section numbered 2.2-2377, relating to Commonwealth Opioid Abatement and Remediation Fund; established.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 12 of Chapter 22 of Title 2.2 a section numbered 2.2-2377 as follows:

§ 2.2-2377. Commonwealth Opioid Abatement and Remediation Fund.

There is hereby created in the state treasury a special nonreverting fund to be known as the Commonwealth Opioid Abatement and Remediation Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund at the end of each fiscal year, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. All funds received pursuant to a settlement, judgment, verdict, or other court order relating to consumer protection claims regarding the manufacturing, marketing, distribution, or sale of opioids that are intended to be used for opioid abatement or remediation, excluding funds designated for transfer to the Opioid Abatement Authority established under this chapter and funds designated for transfer to participating localities, as defined in § 2.2-2365, pursuant to an agreement between the Attorney General and those participating localities, shall be deposited by the Office of the Attorney General in such amounts into the Fund, or appropriated for such purpose, and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Any moneys in the Fund shall be used solely for the purposes of efforts to treat, prevent, or reduce opioid use disorder or the misuse of opioids or to otherwise abate or remediate the opioid epidemic, or for any other approved purposes to the extent that such purposes are described in a related settlement, judgment, verdict, or other court order. To the degree practicable, the implementation and maintenance of performance measures associated with the use of such funds shall be documented and remitted to the Opioid Abatement Authority upon request. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed pursuant to the appropriation act.