



2022 South Dakota Legislature

House Bill 1038

Introduced by: The Committee on Judiciary at the request of the Attorney General

1 **An Act to establish an opioid trust fund and to declare an emergency.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That chapter 34-20B be amended with a NEW SECTION:**

4 The state directed opioid trust fund is established in the state treasury. Funds from
5 the following sources may be deposited into the opioid trust fund:

6 (1) Money received by the state or its subdivisions pursuant to settlements or
7 judgments relating to opioids;

8 (2) Direct appropriations from the general fund;

9 (3) Any gifts, bequests, or donations; and

10 (4) Interest attributable to investment of the money in the opioid trust fund.

11 All money in the opioid trust fund may only be used for purposes relating to opioid
12 abuse and remediation programs. Expenditures from the fund must be appropriated
13 through the normal budget process.

14 **Section 2. Whereas, this Act is necessary for the immediate preservation of the public peace,**
15 **health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force**
16 **and effect from and after its passage and approval.**