

**TOBACCO SETTLEMENT TRUST FUND**  
**FINANCIAL OUTLOOK STATEMENT**  
Post-Session, Including Results of 2021 Regular Session  
FY 2020-21 through FY 2025-26  
(\$ MILLIONS)

DATE: July 23, 2021

	<u>RECURRING</u>	<u>NON- RECURRING</u>	<u>TOTAL</u>
<b>FUNDS AVAILABLE 2020-21</b>			
Balance Forward from 2019-20	0.0	40.9	40.9
Expected Payments Estimate (C)	402.4	0.0	402.4
Liggett Settlement Payment	0.3	0.0	0.3
Transfer from Lawton Chiles Endowment Fund (A)	7.7	0.0	7.7
Interest Earnings	0.8	0.0	0.8
Total 2020-21 Funds Available	411.2	40.9	452.1
<b>EFFECTIVE APPROPRIATIONS 2020-21</b>			
Agency for Health Care Administration	283.1	48.8	331.9
Tobacco Prevention and Education	73.4	0.0	73.4
SB 2500 (2021) Supplemental Appropriation (s. 143)	0.0	34.7	34.7
Total 2020-21 Effective Appropriations	356.5	83.5	440.0
<b>AVAILABLE RESERVES</b>	<b>54.7</b>	<b>(42.6)</b>	<b>12.1</b>
<b>FUNDS AVAILABLE 2021-22</b>			
Balance Forward from 2020-21	0.0	12.1	12.1
Expected Payments Estimate (C)	408.6	0.0	408.6
Liggett Settlement Payment	0.3	0.0	0.3
Transfer from Lawton Chiles Endowment Fund (A)	8.2	0.0	8.2
Measures Affecting Revenue	(8.2)	0.0	(8.2)
Interest Earnings	0.5	0.0	0.5
Total 2021-22 Funds Available	409.4	12.1	421.5
<b>EFFECTIVE APPROPRIATIONS 2021-22</b>			
Agency for Health Care Administration	334.8	0.0	334.8
Tobacco Prevention and Education	74.3	0.0	74.3
Total 2021-22 Effective Appropriations	409.2	0.0	409.2
<b>AVAILABLE RESERVES</b>	<b>0.3</b>	<b>12.1</b>	<b>12.4</b>
<b>FUNDS AVAILABLE 2022-23</b>			
Balance Forward from 2021-22	0.0	12.4	12.4
Expected Payments Estimate (C)	418.1	0.0	418.1
Liggett Settlement Payment	0.3	0.0	0.3
Transfer from Lawton Chiles Endowment Fund (A)	8.6	0.0	8.6
Measures Affecting Revenue	(8.6)	0.0	(8.6)
Interest Earnings	0.6	0.0	0.6
Total 2022-23 Funds Available (B)	419.0	12.4	431.4
<b>FUNDS AVAILABLE 2023-24</b>			
Expected Payments Estimate (C)	428.2	0.0	428.2
Liggett Settlement Payment	0.3	0.0	0.3
Transfer from Lawton Chiles Endowment Fund (A)	8.9	0.0	8.9
Measures Affecting Revenue	(8.9)	0.0	(8.9)
Interest Earnings	0.7	0.0	0.7
Total 2023-24 Funds Available (B)	429.2	0.0	429.2

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	<u>RECURRING</u>	<u>NON-RECURRING</u>	<u>TOTAL</u>
<b>FUNDS AVAILABLE 2024-25</b>			
Expected Payments Estimate (C)	438.6	0.0	438.6
Liggett Settlement Payment	0.3	0.0	0.3
Transfer from Lawton Chiles Endowment Fund (A)	9.3	0.0	9.3
Measures Affecting Revenue	(9.3)	0.0	(9.3)
Interest Earnings	0.9	0.0	0.9
Total 2024-25 Funds Available (B)	439.8	0.0	439.8
<b>FUNDS AVAILABLE 2025-26</b>			
Expected Payments Estimate (C)	449.5	0.0	449.5
Liggett Settlement Payment	0.3	0.0	0.3
Transfer from Lawton Chiles Endowment Fund (A)	9.8	0.0	9.8
Measures Affecting Revenue	(9.8)	0.0	(9.8)
Interest Earnings	1.0	0.0	1.0
Total 2025-26 Funds Available (B)	450.8	0.0	450.8

**FOOTNOTES**

- (A) This financial outlook statement does not include the transfer from the Lawton Chiles Endowment Fund to the Biomedical Research Trust Fund under section 215.5601, Florida Statutes, nor does it include the appropriation from the trust fund. The transfer is projected to be \$0.7 million for FY 2020-21. House Bill 5011 (Ch. 2021-43, L.O.F.) eliminates the transfer to the Tobacco Settlement Trust Fund and the Biomedical Research Trust Fund, effective July 1, 2021, and directs the State Board of Administration (SBA) to liquidate the assets in the Lawton Chiles Endowment Fund by June 30, 2022. The bill also terminates the Lawton Chiles Endowment Fund, effective July 1, 2022, and directs the SBA to transfer all balances remaining to the Budget Stabilization Fund.
- (B) The funds available figures are not adjusted for any financial obligation related to the constitutional funding requirement for tobacco education and prevention. The amount of the financial obligation is estimated to be \$75.9 million for FY 2022-23; \$77.5 million for FY 2023-24; \$79.0 million for FY 2024-25; and \$80.7million for FY 2025-26.
- (C) On January 18, 2017, the State of Florida filed a Motion to Join ITG Brands, LLC as a Defendant and to enforce the Settlement Agreement in the State of Florida, et. al., v. Am. Tobacco Co., R.J. Reynolds Tobacco Co., et. al., No. 95-1466 AH (Fla. 15th Cir. Ct.). On August 18, 2018, the Circuit Court entered a final judgment specifying the principal sum and interest due from R.J. Reynolds to the State of Florida for the period June 12, 2015, through April 30, 2018, as well as providing guidance on how any future unpaid liability to the State should be calculated. In addition, the final judgment reflected the court's rulings issued December 27, 2017, and May 24, 2018, collectively known as the "Liability Orders." R.J. Reynolds subsequently appealed the lower court's decision regarding its liability. On July 29, 2020, the District Court of Appeal unanimously affirmed the lower court's final judgment in all respects, and on September 18, 2020, denied the Appellant's motion for rehearing, rehearing en banc, and certification to the Florida Supreme Court. In response, R.J. Reynolds paid the State of Florida \$192,869,589.86 million to cover the full amount of the outstanding judgment (inclusive of principal and interest). This amount was deposited into the General Revenue Fund on October 6, 2020. Notwithstanding this payment, R.J. Reynolds filed Notice to Invoke Discretionary Jurisdiction of the Florida Supreme Court on October 15, 2020, seeking review of the District Court of Appeal's opinion. On December 18, 2020, the Florida Supreme Court declined to accept jurisdiction and denied the petition for review, while indicating that no motion for rehearing would be entertained.