
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1694 Session of
2023

INTRODUCED BY KUZMA, HEFFLEY, KAUFFMAN AND MARCELL,
SEPTEMBER 25, 2023

REFERRED TO COMMITTEE ON HEALTH, SEPTEMBER 25, 2023

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, providing for opioid settlements.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Title 35 of the Pennsylvania Consolidated
6 Statutes is amended by adding a chapter to read:

7 CHAPTER 52C

8 OPIOID SETTLEMENTS

9 Subchapter

10 A. Preliminary Provisions

11 B. (Reserved)

12 C. (Reserved)

13 D. Recipient Political Subdivisions

14 E. Money and Programs

15 SUBCHAPTER A

16 PRELIMINARY PROVISIONS

17 Sec.

18 52C01. Scope of chapter.

1 52C02. Definitions.

2 § 52C01. Scope of chapter.

3 This chapter relates to opioid settlements entered into by
4 the Commonwealth or a political subdivision.

5 § 52C02. Definitions.

6 The following words and phrases when used in this chapter
7 shall have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "Department." The Department of Drug and Alcohol Programs of
10 the Commonwealth.

11 "Opioid." Any of the following:

12 (1) A preparation or derivative of opium.

13 (2) A synthetic narcotic that has opiate-like effects
14 but is not derived from opium.

15 (3) A group of naturally occurring peptides that bind at
16 or otherwise influence opiate receptors, including opioid
17 agonists.

18 "Qualified opioid litigation." Any of the following, whether
19 filed or unfiled, actual or potential or arising under common
20 law, equity or any provision of law:

21 (1) A civil claim or civil cause of action brought by
22 the Attorney General on behalf of the Commonwealth with an
23 entity that manufactured, sold, distributed, dispensed or
24 promoted opioids, made in connection with claims arising from
25 the manufacturing, marketing, distributing, promoting or
26 dispensing of opioids.

27 (2) A civil claim or civil cause of action brought by
28 the Attorney General on behalf of the Commonwealth in
29 connection with the bankruptcy of an entity that
30 manufactured, sold, distributed, dispensed or promoted

1 opioids, made in connection with claims arising from the
2 manufacturing, marketing, distributing, promoting or
3 dispensing of opioids.

4 "Qualified opioid settlement." A judgment, stipulation,
5 decree, agreement to settle, assurance of discontinuance or
6 other legal instrument resolving a qualified opioid litigation.

7 "Recipient political subdivision." A political subdivision
8 or an office, department or other subunit of a political
9 subdivision, which receives money by operation of the qualified
10 opioid settlement.

11 "Settlement administrator." An entity that is identified in
12 a qualified opioid settlement resolving a qualified opioid
13 litigation that administers, oversees or coordinates the
14 distribution of money under a qualified opioid settlement.

15 SUBCHAPTER B

16 (Reserved)

17 SUBCHAPTER C

18 (Reserved)

19 SUBCHAPTER D

20 RECIPIENT POLITICAL SUBDIVISIONS

21 Sec.

22 52C31. Duties of recipient political subdivision.

23 § 52C31. Duties of recipient political subdivision.

24 (a) Reporting requirements.--If a qualified opioid
25 settlement requires data collection, accounting or other
26 reporting required to be submitted by a recipient political
27 subdivision to a settlement administrator in relation to the
28 receipt or expenditure of money received by the recipient
29 political subdivision under a qualified opioid settlement, the
30 data collection, accounting and other reporting shall be

1 completed as required by the qualified opioid settlement.

2 (b) Copies of reporting.--A recipient political subdivision
3 shall provide all of the following to the department:

4 (1) A copy of the data collection, accounting and other
5 reporting submitted under subsection (a).

6 (2) Any other information required by the department to
7 prepare the report under section 52C41 (relating to annual
8 report).

9 SUBCHAPTER E

10 MONEY AND PROGRAMS

11 Sec.

12 52C41. Annual report.

13 § 52C41. Annual report.

14 (a) Report required.--No later than June 1, 2024, and each
15 June 1 thereafter, the department shall publish an annual report
16 on expenditures made in the Commonwealth from money received
17 from a qualified opioid settlement.

18 (b) Contents of report.--Each report under this section
19 shall include all of the following for the year that ended on
20 the December 31 immediately preceding the issuance of the
21 report:

22 (1) The amount of money received by a settlement
23 administrator in relation to a qualified opioid settlement
24 for distribution among entities in the Commonwealth.

25 (2) The amount of money from a qualified opioid
26 settlement received by the Commonwealth and each recipient
27 political subdivision.

28 (3) The amount and a description of the expenditure of
29 money by the Commonwealth and each recipient political
30 subdivision, including the amount of money expended on

1 treatment, prevention and other strategies.

2 (4) The amount and a description of any expenditure of
3 money found to be noncompliant with the requirements of a
4 qualified opioid settlement.

5 (c) Preparation of report.--The department may direct
6 boards, commissions and agencies under the Governor's
7 jurisdiction to provide assistance in the compilation of data
8 required to be reported under this section, including
9 establishing procedures for recipient political subdivisions to
10 submit the information necessary for the preparation of the
11 report under this section.

12 (d) Submission of report.--The department shall submit each
13 report under this section to the following:

14 (1) The chairperson and minority chairperson of the
15 Appropriations Committee of the Senate.

16 (2) The chairperson and minority chairperson of the
17 Appropriations Committee of the House of Representatives.

18 (3) The chairperson and majority chairperson of the
19 Health and Human Services Committee of the Senate.

20 (4) The chairperson and majority chairperson of the
21 Human Services Committee of the House of Representatives.

22 (e) Posting of report.--Each report under this section shall
23 also be posted and maintained on the publicly accessible
24 Internet website of the department.

25 Section 2. This act shall take effect in 60 days.