

**PROPOSED SUBSTITUTE TO FILE 22-5862**  
**(County Board Meeting 10/20/2022 – Third Set of New Items pg. 2)**

**Sponsored by:** TONI PRECKWINKLE, PRESIDENT, Cook County Board of Commissioners

**PROPOSED RESOLUTION**

**CREATION OF OPIOID REMEDIATION AND ABATEMENT SPECIAL PURPOSE FUND**

**WHEREAS**, the County and the Illinois Attorney General along with several other units of local government (the “Original Participating Local Governments” or “Original-PLGs”) entered into an Illinois Opioid Allocation Agreement stemming from a consolidated lawsuit pending in the Circuit Court of Cook County as case number 2017-L-013180 where the Original-PLGs and the Illinois Attorney General are seeking penalties, restitution, disgorgement of revenues, and costs to remediate the public nuisance as well as damages against numerous pharmaceutical manufacturers, distributors, and other related persons and entities arising from their actions and/or inactions which contributed to the opioid epidemic and resulting public health crisis; and

**WHEREAS**, the Illinois Opioid Allocation Agreement ensures the funds Illinois received through this and any future settlements are allocated equitably to counties and municipalities; and

**WHEREAS**, the majority of Illinois’ money will go to the Illinois Remediation Fund to be used for abatement programs throughout the State; and

**WHEREAS**, pursuant to the Illinois Opioid Allocation Agreement, any sums collected that are related to Opioid Litigation by the Attorney General from any Opioid Defendant by way of judgment or settlement in a National Multistate Opioid Settlement shall be distributed as follows to ensure, among other things, that 70% of all such judgment or settlement proceeds are used to support specified opioid remediation or abatement programs:

a. Twenty percent (20.0%) shall be distributed to the State of Illinois, at least one quarter (1/4th) of which shall be used to support opioid remediation programs included in the list of Approved Abatement Programs approved by the Illinois Attorney General which shall be tracked by the State.

b.

(i) Fifteen percent (15%) shall be distributed into a Local Government Recovery Fund and shall be allocated in accordance with the percentages set forth in a Municipalities and Townships Allocation Table to (1) municipalities and townships who are PLGs and who have filed a lawsuit against an Opioid Defendant by September 1, 2020, and (2) municipalities who are PLGs with a population of at least 30,000 according to the 2019 United States Census Population Estimate whether or not they have filed a lawsuit against an Opioid Defendant. Any amount remaining in the Local Government Recovery Fund following this distribution shall be allocated among counties who are PLGs.

(ii) In addition to any amounts remaining following the allocation, Ten percent (10%) shall be distributed into the Local Government Recovery Fund to be allocated among counties who are PLGs who receive an allocation from this portion of the Local Government Recovery Fund are obligated to use such distributions to support opioid remediation programs in their community through uses included in the list of Approved Abatement Programs and the PLGs shall track and quarterly report to the Attorney General all monies spent to support opioid remediation programs.

c. Fifty-Five Percent (55%) shall be distributed into the Illinois Remediation Fund. A Remediation Fund Advisory Board shall be appointed to provide nonbinding recommendations regarding the administration and distribution of the Illinois Remediation Fund. The Remediation Fund Advisory Board, when making recommendations, will seek to ensure an equitable allocation of resources to all parts of the state, taking into consideration population as well as other factors relevant to opioid abatement, including rates of Opioid Use Disorder, Overdose Deaths, and amounts of opioids shipped into each region as measured in Morphine Milligram Equivalents. All funds disbursed from the Remediation Fund shall go to support uses included in the list of Approved Abatement Programs.

**WHEREAS**, in accordance with the Illinois Opioid Allocation Agreement, the appropriate percentages of the proceeds received by the County must be used for the Approved Abatement Programs provided in the Illinois Opioid Allocation Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Cook County Board of Commissioners, that a Special Purpose Fund for Opioid Remediation and Abatement shall be created, and that the Department of Budget and Management Services shall manage the Special Purpose Fund, which shall be funded with the proceeds received pursuant to the Illinois Opioid Allocation Agreement; and

**THEREFORE, BE IT FURTHER RESOLVED**, that the Department of Budget and Management Services shall work with the various County departments and agencies to budget for and track the expenditures of funds received from the Illinois Opioid Allocation Agreement to ensure that such expenditures are in conformance with the Illinois Opioid Allocation Agreement; and

**THEREFORE, BE IT FURTHER RESOLVED**, that the Department of Budget and Management Services shall work with County departments and agencies to report on the uses of the Special Purpose Funds in accordance with the Illinois Opioid Allocation Agreement.