

(a) There is a Postretirement Health Benefits Trust Fund.

(b) The Postretirement Health Benefits Trust Fund shall be established as a tax-exempt trust, in accordance with § 115 of the Internal Revenue Code or other applicable federal statute.

(c) The purpose of the Postretirement Health Benefits Trust Fund is to assist the State in financing the postretirement health insurance subsidy, as specified in § 2-508 of this article.

(d) Beginning in fiscal year 2008, **THE FOLLOWING FUNDS SHALL BE DEPOSITED INTO THE POSTRETIREMENT HEALTH BENEFITS TRUST FUND:**

(1) any subsidy received by the State that is provided to employers as a result of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003, or similar federal subsidy received as a result of the State's prescription drug program[, shall be deposited into the Postretirement Health Benefits Trust Fund]; AND

(2) ANY FUNDS APPROPRIATED TO THE POSTRETIREMENT HEALTH BENEFITS TRUST FUND, WHETHER DIRECTLY OR THROUGH THE BUDGETS OF ANY STATE AGENCY.

~~(2) (E)~~ AFTER JUNE 1, 2008, ANY FUNDS DEPOSITED INTO THE DEDICATED PURPOSE ACCOUNT IN FISCAL YEAR 2007 AND FISCAL YEAR 2008 THAT WERE APPROPRIATED IN CHAPTER 216 OF THE ACTS OF 2006 OR CHAPTER OF THE ACTS OF 2007 (H.B. 50) FOR THE PURPOSE OF DEFRAYING THE FUTURE COSTS ASSOCIATED WITH RETIREMENT BENEFITS FOR STATE EMPLOYEES; AND EMPLOYEES, MAY BE DEPOSITED INTO THE POSTRETIREMENT HEALTH BENEFITS TRUST FUND.

~~(3) ANY FUNDS APPROPRIATED IN THE STATE BUDGET BILL FOR THE PURPOSE OF FUNDING THE ACCRUED LIABILITY FOR RETIREE HEALTH CARE BENEFITS UNDER THE STATE EMPLOYEE AND RETIREE HEALTH AND WELFARE BENEFITS PROGRAM.~~

~~(e) (F)~~ (1) The Board of Trustees are the trustees of the Postretirement Health Benefits Trust Fund.

(2) Notwithstanding any other provision of law: