

RESOLUTION NO. 2021-27



STATE OF TEXAS

§

IN THE COMMISSIONERS COURT

COUNTY OF COMAL

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**ADOPTING THE STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS' OPIOID ABATEMENT FUND COUCIL AND SETTLEMENT ALLOCATION TERM SHEET**

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WHEREAS, Comal County obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, "Defendants") have engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses; and

WHEREAS, these actions, conduct and misconduct have resulted in significant financial costs to the County; and

WHEREAS, on May 13, 2020, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (hereafter, the Texas Term Sheet) approving the allocation of any and all opioid settlement funds within the State of Texas. The Texas Term Sheet is attached hereto as Exhibit "A"; and

WHEREAS, Special Counsel and the State of Texas have recommended that the Comal County Commissioners Court support the adoption and approval the Texas Term Sheet in its entirety.

NOW, THEREFORE, BE IT RESOLVED that we, the Commissioners Court of Comal County:

1. Support the adoption and approval the Texas Term Sheet in its entirety; and
2. Finds as follows:
  - a. There is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about Comal County; and
  - b. The Commissioners Court supports in its entirety and hereby adopts the allocation method for opioid settlement proceeds as set forth in the STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS' OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET, attached hereto as Exhibit A. The County Commissioners Court understands that the purpose of this Texas Term Sheet is to permit collaboration between the State of Texas and Political Subdivisions to explore and potentially

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effectuate resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants as defined therein. We also understand that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under this Texas Term Sheet between the State of Texas and Political Subdivisions in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this County and throughout Texas.

PASSED AND APPROVED on this the 21<sup>st</sup> day of December, 2021.

*Absent*

**SHERMAN KRAUSE, COUNTY JUDGE**

*Donna Eccleston*

**DONNA ECCLESTON  
COUNTY COMMISSIONER, PCT. #1**

*Scott Haag*

**SCOTT HAAG  
COUNTY COMMISSIONER, PCT. #2**

*Kevin Webb*

**KEVIN WEBB  
COUNTY COMMISSIONER, PCT. #3**

*Jen Crowover*

**JEN CROWOVER  
COUNTY COMMISSIONER, PCT. #4**

**ATTEST:**

*Bobbie Koepf*

**BOBBIE KOEPP, COUNTY CLERK**

