



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 616 (as introduced 10-22-25)
Sponsor: Senator Sylvia Santana
Committee: Civil Rights, Judiciary, and Public Safety

Date Completed: 11-4-25

CONTENT

The bill would amend the Opioid Litigation Act to prohibit a political subdivision of the State from commencing or maintaining an action as follows:

- After January 1, 2024, an action related to the released claims as defined in the Kroger settlement against the released entities as defined in the Kroger settlement.
- After January 1, 2025, an action related to the Shareholder Released Claims as defined in the Purdue settlement against the Shareholder Released Persons as defined in the Purdue settlement.
- After January 1, 2025, an action related to the released claims as defined in the Alvogen settlement against the released entities as defined in the Alvogen settlement.
- After January 1, 2025, an action related to the released claims as defined in the Amneal settlement against the released entities as defined in the Amneal settlement.
- After January 1, 2025, an action related to the released claims as defined in the Apotex settlement against the released entities as defined in the Apotex settlement.
- After January 1, 2025, an action related to the released claims as defined in the Hikma settlement against the released entities as defined in the Hikma settlement.
- After January 1, 2025, an action related to the released claims as defined in the Indivior settlement against the released entities as defined in the Indivior settlement.
- After January 1, 2025, an action related to the released claims as defined in the Mylan settlement against the released entities as defined in the Mylan settlement.
- After January 1, 2025, an action related to the released claims as defined in the Sun settlement against the released entities as defined in the Sun settlement.
- After January 1, 2025, an action related to the released claims as defined in the Zydus settlement against the released entities as defined in the Zydus settlement.

"Alvogen settlement" would mean the master settlement agreement arising out of the multi-district litigation (MDL) and entered by the State with Alvogen, Incorporated. "Amneal settlement" would mean the master settlement agreement arising out of the MDL and entered by the State with Amneal Pharmaceuticals, LLC. "Apotex settlement" would mean the master settlement agreement arising out of the MDL and entered by the State with Apotex Corporation. "Hikma settlement" would mean the master settlement agreement arising out of the MDL and entered by the State with Hikma Pharmaceuticals USA, Incorporated. "Indivior settlement" would mean the master settlement agreement arising out of the MDL and entered by the State with Indivior, Incorporated.

"Kroger settlement" would mean the master settlement agreement arising out of the MDL and entered by the State with the Kroger Co. "Mylan settlement" would mean the master settlement agreement arising out of the MDL and entered by the State with Viartis, Inc. "Purdue settlement" would mean the Governmental Entity and Shareholder Direct Settlement Agreement in the bankruptcy action *In re Purdue Pharma LP et al*, Case No. 19-23649 (SHL) (Bankr SDNY), to which the State is a party. "Sun settlement" would mean the master

settlement agreement arising out of the MDL and entered by the State with Sun Pharmaceuticals, Incorporated. "Zydus settlement" would mean the master settlement agreement arising out of the MDL and entered by the State with Zydus Pharmaceuticals (USA), Inc.

BACKGROUND

Generally, the settlements above are parts of multiple national settlements related to the manufacture and sale of opioids during the opioid epidemic.¹ The Mylan, Hikma, Amneal, Apotex, Indivior, Sun, Alvogen, and Zydus settlements are worth a total of \$720.0 million, and all settlors agreed to a sign-on period for Michigan local governments in which these political subdivisions can claim compensation under the settlements.² The Kroger settlement is worth \$1.2 billion, and local governments had the opportunity to register to receive funds under it until August 12, 2024.³ Finally, the Purdue settlement is worth \$7.4 billion and afforded the State and local governments time to join and receive compensation under it.⁴

MCL 691.1672 & 691.1673

Legislative Analyst: Tyler VanHuyse

FISCAL IMPACT

The bill's language would prohibit further claims arising out of actions that have already been litigated, and so no fiscal impact on courts or the Attorney General is anticipated. The bill would have no immediate fiscal impact on State or local government. The settlement agreements, and the formulas for determining State shares of settlement payments, can be found on the National Opioid Settlement website. These formulas include base-level and incentive-level payments to states and local governments. The incentives are achieved by making efforts to end litigation and prohibit future claims. Enacting the bill would allow the State and local governments that have settled to receive full incentives under the settlement payment plans.

Fiscal Analyst: Bobby Canell
Michael Siracuse

¹ Ackerman, Ellyn, et al., "An Overview of Michigan's Efforts in Combatting the Opioid Epidemic", Senate Fiscal Agency Issue Paper, April 2019.

² Michigan Department of Attorney General, *Attorney General Nessel Secures \$720 Million National Settlement from Eight Opioid Drug Makers*, July 10, 2025.

³ Michigan Department of Attorney General, *AG Announces \$1.2 Billion Settlement with Kroger for Role in Opioid Epidemic, Calls on Local Units to Participate*, July 29, 2024.

⁴ Michigan Department of Attorney General, *AG Nessel Signs On to \$7.4 Billion Purdue Pharma Settlement*, July 16, 2025.

SAS\S2526\ls616sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.