

By Representative Harper

1                                   A bill to be entitled  
2           An act relating to trust funds; creating s.  
3           948.203, F.S.; creating the Substance Abuse  
4           Treatment Trust Fund within the Department of  
5           Corrections; providing appropriations and  
6           authorizing other sources of funds; providing  
7           for distribution and use of funds deposited in  
8           the trust fund; providing for annual  
9           carryforward of unused funds; providing for  
10          future review and termination or re-creation of  
11          the trust fund; providing a contingent  
12          effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Section 948.203, Florida Statutes, is  
17 created to read:

18           948.203 Substance Abuse Treatment Trust Fund.--

19           (1)(a) There is created a Substance Abuse Treatment  
20 Trust Fund within the Department of Corrections.

21           (b)1. An amount sufficient to fund the Substance Abuse  
22 and Crime Prevention Act, as provided in s. 948.201, for one  
23 fiscal year shall be appropriated from the General Revenue  
24 Fund to the Substance Abuse Treatment Trust Fund for the  
25 2002-2003 fiscal year.

26           2. There is annually appropriated from the General  
27 Revenue Fund to the Substance Abuse Treatment Trust Fund an  
28 amount equal to the amount appropriated under subparagraph 1.  
29 Funds appropriated under this subparagraph shall be  
30 transferred to the Substance Abuse Treatment Trust Fund on  
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1 July 1 of each fiscal year and shall constitute a continuous  
2 appropriation.

3 3. Nothing in this paragraph precludes the Legislature  
4 from appropriating additional funds to the Substance Abuse  
5 Treatment Trust Fund.

6 (c)1. Funds deposited in the Substance Abuse Treatment  
7 Trust Fund shall be distributed annually by the Comptroller  
8 through the Department of Corrections to counties to cover the  
9 costs of placing persons in and providing drug treatment  
10 programs under the Substance Abuse and Crime Prevention Act as  
11 provided in s. 948.201.

12 2. Funds to be distributed under subparagraph 1. shall  
13 be allocated to counties through a fair and equitable  
14 distribution formula as determined by the department as  
15 necessary to carry out the purposes of the Substance Abuse and  
16 Crime Prevention Act as provided in s. 948.201, which  
17 includes, but is not limited to, per capita arrests for  
18 controlled substance possession violations and substance abuse  
19 treatment caseload.

20 3. The department may reserve a portion of the funds  
21 in the Substance Abuse Treatment Trust Fund to pay for direct  
22 contracts with drug treatment service providers in counties or  
23 areas in which the department has determined that demand for  
24 drug treatment services is not adequately met by existing  
25 rehabilitative treatment programs. However, nothing in this  
26 paragraph shall be interpreted or construed to allow any  
27 entity to use funds from the trust fund to supplant funds from  
28 any existing fund source or mechanism currently used to  
29 provide substance abuse treatment.

30 (2) Notwithstanding the provisions of s. 216.301 and  
31 pursuant to s. 216.351, any balance in the Substance Abuse

1 Treatment Trust Fund at the end of any fiscal year shall  
2 remain in the trust fund at the end of the year and shall be  
3 available for carrying out the purposes of the trust fund.

4 (3) Pursuant to the provisions of s. 19(f)(2), Art.  
5 III of the State Constitution, the Substance Abuse Treatment  
6 Trust Fund shall, unless terminated sooner, be terminated on  
7 July 1, 2006. Prior to its scheduled termination, the trust  
8 fund shall be reviewed as provided in s. 215.3206.

9 Section 2. This act shall take effect July 1, 2002, if  
10 House Bill \_\_\_\_ or similar legislation creating the Substance  
11 Abuse and Crime Prevention Act is adopted in the same  
12 legislative session or an extension thereof and becomes law.

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15 HOUSE SUMMARY

16 Creates the Substance Abuse Treatment Trust Fund within  
17 the Department of Corrections. Provides appropriations  
18 and authorizes other sources of funds. Provides for  
19 distribution and use of funds deposited in the trust  
20 fund. Provides for annual carryforward of unused funds  
21 in the trust fund. Provides for future review and  
22 termination or re-creation of the trust fund.  
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