

By Senator Miller

21-1354-02

See HB

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 Senate 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 SENATE 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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