

By Senator Fasano

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1 A bill to be entitled
2 An act relating to the Commission for a Drug-Free
3 Florida; providing definitions; creating the
4 Commission for a Drug-Free Florida within the
5 Executive Office of the Governor; providing a purpose;
6 providing duties; requiring that the commission submit
7 a report and recommendations to the Governor and the
8 Legislature by a specified date each year; providing
9 for membership, terms, and meetings; requiring that
10 members serve without compensation, but are entitled
11 to reimbursement for per diem and travel expenses;
12 requiring that the Executive Office of the Governor
13 provide the commission with staff; requiring that the
14 Florida Center for Prevention Research within Florida
15 State University provide administrative and logistical
16 support to the commission; requiring that the
17 commission be funded by court fees deposited into the
18 Drug-Free Florida Trust Fund; providing for the
19 assessment and collection of the court fees;
20 authorizing the Executive Office of the Governor to
21 adopt rules; providing an effective date.

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

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25 Section 1. (1) DEFINITIONS.—As used in this section, the
26 term:

27 (a) "Commission" means the Commission for a Drug-Free
28 Florida within the Executive Office of the Governor.

29 (b) "Local established antidrug coalition or coordinating

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30 council” means a countywide citizen body approved and appointed
31 by the commission to plan, monitor, and evaluate comprehensive
32 local alcohol and drug abuse plans.

33 (2) CREATION; PURPOSE.—The Commission for a Drug-Free
34 Florida is created within the Executive Office of the Governor
35 for the purpose of improving and streamlining state and local
36 efforts in alcohol and drug abuse prevention while ensuring that
37 comprehensive alcohol and drug programs are available throughout
38 the state.

39 (3) DUTIES; REPORTS.—

40 (a) The commission shall:

41 1. Establish an interagency council to coordinate the
42 alcohol and drug education, prevention, treatment, and justice
43 programming and funding responsibilities of state agencies,
44 commissions, and boards, including the approval of alcohol and
45 drug abuse prevention plans and funding applications by state
46 agencies, commissions, and boards.

47 2. Coordinate among state agencies the collection of data
48 concerning alcohol and drug abuse, such that there is a singular
49 point of access to the information for use and assessment, and
50 coordinate the collection of data concerning the needs,
51 programming, and effectiveness of state-supported programs and
52 services.

53 3. Maintain a system of support to provide local
54 established antidrug coalitions or coordinating councils with
55 technical assistance, guidance, or direct funding resources.

56 4. Assist the development of local established antidrug
57 coalitions or coordinating councils to identify community
58 alcohol and drug programs; coordinate community initiatives;

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59 design comprehensive, collaborative community strategies; and
60 monitor alcohol reduction and antidrug activities at the local
61 level.

62 5. Establish roles, responsibilities, and performance
63 standards for the local established antidrug coalitions or
64 coordinating councils.

65 6. Recommend to the Governor and Legislature long-range and
66 short-range goals, objectives, and strategies and legislative
67 proposals to be implemented at the state and local level to
68 reduce alcohol and drug abuse.

69 7. Assist local communities in the development of drug-
70 related crime control efforts that are citizen based.

71 (b) By December 30 of each year, the commission shall
72 submit a report to the Governor, the President of the Senate,
73 the Speaker of the House of Representatives, and the chairs of
74 the criminal justice and health care committees of both houses
75 of the Legislature. The report must contain recommendations and
76 a summary of the activities of the commission during that year.
77 The commission may submit interim reports as determined by its
78 chair.

79 (4) MEMBERSHIP, TERMS, AND MEETINGS.—The commission must
80 consist of 24 members who have distinguished themselves in their
81 respective fields and who have experience or an interest in
82 attempting to eliminate alcohol and drug abuse in the state.

83 (a) The commission must be comprised of the following
84 members:

85 1. The Governor or his or her designee, who shall serve as
86 a nonvoting, ex officio member of the commission and shall act
87 as chair.

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88 2. The Attorney General or his or her designee, who shall
89 serve as a nonvoting, ex officio member of the commission and
90 shall act as chair in the absence of the Governor or his or her
91 designee.

92 3. Fifteen voting members appointed by the Governor who
93 have experience or expertise in at least one of the following
94 areas:

95 a. Family relations.

96 b. Religion.

97 c. Education.

98 d. Civic or private organizations.

99 e. Business.

100 f. Drug prevention.

101 g. Drug treatment.

102 h. Medicine.

103 i. Local government.

104 j. Judiciary.

105 k. Law enforcement.

106 l. Self-help organizations.

107 m. Youth.

108
109 When appointing members to the commission, the Governor shall
110 consider geography, population, ethnicity, and other relevant
111 factors to ensure that the membership of the commission is
112 representative of the state at large.

113 4. Two secretaries of state agencies appointed by the
114 Governor.

115 5. Four members of the Legislature, who shall serve as
116 nonvoting, ex officio members of the commission. The President

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117 of the Senate shall appoint two members of the Senate who are
118 not of the same political party. The Speaker of the House of
119 Representatives shall appoint two members of the House of
120 Representatives who are not of the same political party.

121 6. One member of the judiciary appointed by the Chief
122 Justice of the Supreme Court, who shall serve as a nonvoting, ex
123 officio member of the commission.

124 (b) Members appointed by the Governor, the President of the
125 Senate, the Speaker of the House of Representatives, and the
126 Chief Justice of the Supreme Court shall be appointed to 4-year
127 terms. However, for the purpose of providing staggered terms, of
128 the Governor's initial appointments that are not secretaries of
129 state agencies, seven members shall be appointed to 2-year
130 terms, and eight members shall be appointed to 4-year terms. Any
131 vacancy on the commission shall be filled in the same manner as
132 the original appointment. Any member appointed to fill a vacancy
133 occurring because of death, resignation, or ineligibility for
134 membership shall serve only for the unexpired term of the
135 member's predecessor. A member is eligible for reappointment.

136 (c) The commission shall meet once per month at the call of
137 the chair. Eight voting members of the commission constitute a
138 quorum. The commission is not prohibited from conducting
139 business as a result of a vacancy.

140 (5) PER DIEM, TRAVEL, AND STAFFING.—

141 (a) Members of the commission or their designees shall
142 serve without compensation, but are entitled to reimbursement
143 for per diem and travel expenses pursuant to s. 112.061, Florida
144 Statutes. Members or their designees shall be reimbursed from
145 funds deposited into the Drug-Free Florida Trust Fund or as

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146 specified by the Legislature in the General Appropriations Act.

147 (b) The Executive Office of the Governor shall provide the
148 commission with the staff necessary to assist the commission in
149 the performance of its duties. The Florida Center for Prevention
150 Research within Florida State University shall provide
151 administrative and logistical support for the commission,
152 including management of the commission's resources.

153 (6) FUNDING.—The commission shall be funded by court fees
154 deposited into the Drug-Free Florida Trust Fund. The court fees
155 shall be assessed and collected as follows:

156 (a) A court shall assess a drug abuse, prosecution,
157 interdiction, and correction fee of at least \$200 and not more
158 than \$1,000 against a person convicted of an offense relating to
159 controlled substances. In determining the amount of the fee, the
160 court shall consider the person's ability to pay the fee. The
161 clerk of court shall collect the fee.

162 (b) The clerk of court shall collect an alcohol and drug
163 countermeasure fee of \$200 in each action in which a person is
164 found to have violated s. 316.193, Florida Statutes, or has been
165 adjudicated delinquent for an act that would be an offense under
166 s. 316.193, Florida Statutes, if committed by an adult, and if
167 the person's driving privileges is suspended by the court or the
168 Department of Highway Safety and Motor Vehicles as a result of
169 the adjudication.

170 (c) The clerk of court shall collect an alcohol and drug
171 countermeasure fee of \$200 in each action in which a person is
172 charged with driving under the influence pursuant to s. 316.193,
173 Florida Statutes, and, by a plea agreement or an agreement of
174 the parties, a judgment is entered for reckless driving under s.

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175 316.192, Florida Statutes, or disorderly intoxication under s.
176 856.011, Florida Statutes, and the person agrees to pay the fee.

177 (7) RULES.—The Executive Office of the Governor may adopt
178 rules to administer this section.

179 Section 2. This act shall take effect July 1, 2012.