

26 397.335 Statewide Council on Opioid Abatement.-

27 (1) ESTABLISHMENT.-The Statewide Council on Opioid
28 Abatement, an advisory council as defined in s. 20.03, is
29 created within the department for the purpose of enhancing the
30 development and coordination of state and local efforts to abate
31 the opioid epidemic and to support the victims and families of
32 the crisis.

33 (2) MEMBERSHIP.-

34 (a) The council shall consist of the following members:

35 1. The Attorney General, or a designee, who shall serve as
36 chair.

37 2. The secretary of the department, or a designee, who
38 shall serve as vice chair.

39 3. One member appointed by the Governor.

40 4. One member appointed by the President of the Senate.

41 5. One member appointed by the Speaker of the House of
42 Representatives.

43 6. Two members appointed by the Florida League of Cities
44 who are commissioners or mayors of municipalities. One member
45 shall be from a municipality with a population of fewer than
46 50,000 people.

47 7. Two members appointed by or through the Florida
48 Association of Counties who are county commissioners or mayors.
49 One member shall be appointed from a county with a population of
50 fewer than 200,000 and one member shall be appointed from a

51 county with a population of more than 200,000.

52 8. One member appointed by the Florida Association of
53 Counties, a municipality mayor, or a commissioner appointed by
54 the Florida League of Cities who must alternate every 2 years
55 between being a county commissioner or a mayor.

56 (b) Each member shall serve a 2-year term. Any vacancy
57 shall be filled in the same manner as the original appointment
58 for the remainder of the unexpired term.

59 (c) A member may not receive a commission, fee, or
60 financial benefit in connection with serving on the council.
61 Council members may be reimbursed for per diem and travel
62 expenses in accordance with s. 112.061 by the state agency that
63 the member represents. If the member is not affiliated with a
64 state agency, the member shall be reimbursed by the Department
65 of Children and Families.

66 (3) ORGANIZATION AND SUPPORT.—

67 (a) The first meeting of the council must be held by
68 August 31, 2023.

69 (b) The council shall meet quarterly and upon the call of
70 the chair or two other members. Meetings of the council may take
71 place in person or through electronic transmission using
72 communications media technology as described in s.
73 120.54(5)(b)2.

74 (c) A majority of the members of the council shall
75 constitute a quorum.

76 (d) The department and the Department of Legal Affairs
 77 shall provide the council with staff necessary to assist the
 78 council in the performance of its duties.

79 (e) The council may apply for and accept funds, grants,
 80 gifts, and services from the state, the Federal Government, or
 81 any of its agencies, or any other public or private source for
 82 the purposes of defraying costs or performing its duties.

83 (f) All members shall adhere to all applicable general
 84 law, rules, and regulations, including, but not limited to, s.
 85 112.311, concerning the disclosure of conflicts of interest and
 86 recusal from discussions or votes on conflicted matters.

87 (4) DUTIES.—

88 (a) The council shall advise the state and local
 89 governments on resolving or abating the opioid epidemic and
 90 review how settlement monies recovered from the opioid
 91 litigation brought by the state and its subdivisions have been
 92 spent and the results that have been achieved from those
 93 expenditures.

94 (b) The council shall work with, provide, and receive
 95 information from the Statewide Drug Policy Advisory Council and
 96 ensure that its recommendations and actions are consistent with
 97 that council's recommendations to the extent possible.

98 (c) The council shall review data from local, state, and
 99 national agencies:

100 1. Both on a regional and a statewide basis to advise the

101 state and local governments on the current status, severity, and
102 stage of the opioid epidemic.

103 2. Regarding how monies are being spent to abate the
104 opioid epidemic, the success of such programs, and the
105 appropriate metrics needed to assess the epidemic and progress
106 abating it.

107 (d) Each county, city, managing entity, or state agency
108 who receives settlement monies from an opioid settlement shall
109 provide information to the council annually:

110 1. By July 30, 2023, and annually thereafter, relating to
111 how the county, city, managing entity, or agency intends to use
112 settlement funds and collect data regarding its use of funds.

113 2. By August 31, 2023, and annually thereafter, relating
114 to the expenditure of settlement moneys by that entity and the
115 results obtained from those expenditures.

116 (e) The council shall develop metrics, measures, or data
117 sets to assess the progress and success of programs funded by
118 expenditures of opioid settlement monies. In recommending
119 metrics, measures, or data sets, the council shall keep its
120 recommended metrics, measures, or data sets consistent with the
121 metrics, measures, or data sets that the state uses with its
122 managing entities as well as any other metrics, measures, or
123 data sets required by the Substance Abuse and Mental Health
124 Services Administration of the United States Department of
125 Health and Human Services in connection with any grants that the

126 state receives. In connection with such metrics, measures, or
127 data sets, the council may request, and each county, city,
128 managing entity, or state agency must provide, data or
129 information requested to conduct such analysis.

130 (f) In the event that a county, city, managing entity, or
131 agency fails to provide requested data or information, the
132 council or the Department of Legal Affairs, acting on behalf of
133 the council, shall have the ability to seek such data through
134 civil investigative demand, subpoena, or by commencing an action
135 seeking the turnover of such data.

136 (g) The council with assistance and support of the
137 department shall provide a system of documentation and reporting
138 in accordance with the requirements of federal agencies and any
139 other agencies providing funding to the state, including
140 auditing expenditures consistent with any requirements imposed
141 by the legislature.

142 (h) By December 1, 2023, and annually thereafter, the
143 council shall provide and publish an annual report. The report
144 shall contain information on how settlement moneys were spent
145 the previous fiscal year by the state, each of the managing
146 entities, and each of the counties and municipalities. The
147 report shall also contain recommendations to the Governor, the
148 Legislature, and local governments for how moneys should be
149 prioritized and spent the coming fiscal year to respond to the
150 opioid epidemic.

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151 (i) The report shall be posted on the websites of the
152 department and the Department of Legal Affairs.

153 Section 3. This act shall take effect July 1, 2023.