

AMENDED IN ASSEMBLY APRIL 15, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1019

Introduced by Assembly Member Beall
(Coauthor: Assembly Member Torlakson)
(Coauthor: Senator Florez)

February 27, 2009

~~An act to add Section 23335 to the Business and Professions Code, and to add Division 121 (commencing with Section 151150) to the Health and Safety Code, relating to taxation, to take effect immediately, tax levy. An act to add Division 10.56 (commencing with Section 11972.10) to the Health and Safety Code, relating to alcohol abuse programs, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1019, as amended, Beall. ~~Alcoholic beverages: surcharge. Alcohol-Related Services Program.~~

Existing law requires the State Department of Alcohol and Drug Programs to perform various functions and duties with respect to the development and implementation of state and local substance abuse treatment programs.

This bill would, in addition, establish the Alcohol-Related Services Program and the Alcohol-Related Services Program Fund and would authorize the State Board of Equalization to assess and collect specified fees from every person who is engaged in business in this state and sells alcoholic beverages for resale, as prescribed. The bill would require the fees to be deposited into the fund and would continuously appropriate those moneys exclusively for the alcohol-related services programs established pursuant to this bill. The bill would authorize the

State Department of Alcohol and Drug Programs to establish, or contract or provide grants for the establishment of, component services under the program.

Existing law establishes various health services programs administered by, among other state agencies, the State Department of Health Care Services.

This bill would require, wholesalers located within the state who distribute alcoholic beverages to retailers for consumption in the state, to pay a \$0.10 per drink surcharge, based upon a specified formula, and would require the State Board of Equalization to administer and collect this surcharge. The bill would establish the Alcohol-Related Services Fund, to be administered by the State Department of Health Care Services, into which moneys from the imposition of the surcharge would be deposited and would, upon appropriation by the Legislature, require those moneys to be used by the State Department of Health Care Services for specified programs, including programs to prevent the use and abuse of alcoholic beverages and other drugs. This bill would make findings regarding the impact of alcoholic beverage use upon the state.

This bill would result in a change in state taxes for the purpose of increasing state revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of $\frac{2}{3}$ of the membership of each house of the Legislature.

This bill would take effect immediately as a tax levy.

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~no~~-yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Division 10.56 (commencing with Section
2 11972.10) is added to the Health and Safety Code, to read:

3

4 DIVISION 10.56. ALCOHOL-RELATED SERVICES
5 PROGRAM

6

7 11972.10. (a) This act shall be known, and may be cited, as
8 the Alcohol-Related Services Act of 2009.

9 (b) The Legislature finds and declares all of the following:

10 (1) The following findings rely, in part, on “The Cost of Alcohol
11 in California,” by Rosen, Miller, and Simon in *Alcoholism: Clinical
12 and Experimental Research*, Vol. 32 No. 11 (2008).

1 (2) *Alcohol-related problems cost Californians an estimated*
2 *\$38.4 billion annually, including costs for alcohol-related illness*
3 *and injury, criminal justice, lost productivity, as well as impacts*
4 *on the welfare system, trauma and emergency care, and the foster*
5 *care system, among other costs.*

6 (3) *Alcohol use drains California’s state and county*
7 *governments of approximately \$8.3 billion annually in increased*
8 *health care costs, criminal justice costs, and lost tax bases, while*
9 *the income to the state in alcohol licensing, fees, excise taxes, and*
10 *sales taxes is less than \$1 billion annually.*

11 (4) *The alcohol industry currently does not pay any fees at the*
12 *state level to offset or mitigate the enormous costs its products*
13 *impose on California.*

14 (5) *One out of every nine Californians suffers from alcohol*
15 *addiction.*

16 (6) *Alcohol-related accidents are the leading cause of death*
17 *among teenagers and the cause of many permanently disabling*
18 *injuries.*

19 (7) *Eight out of every 10 felons sent to state prisons are alcohol*
20 *abusers.*

21 (8) *Annually, there are over 220,000 admissions to publicly*
22 *funded alcohol treatment services. Alcohol treatment services*
23 *reunify families, and decrease criminal justice activities and costs.*

24 (9) *Alcohol use during pregnancy causes approximately 5,000*
25 *children to be born in California each year with alcohol-related*
26 *birth defects.*

27 (10) *Drinking and driving is the major cause of traffic accidents*
28 *and fatalities in California each year.*

29 (11) *The use of alcohol is a major cause of hospital emergency*
30 *room and trauma care treatment, and greatly contributes to the*
31 *need for transportation costs such as emergency medical air*
32 *transportation services and ambulance costs.*

33 (12) *The use of alcohol is closely associated with mental illness*
34 *and contributes enormously to the cost of treating the mentally ill.*

35 (13) *Effective prevention and treatment services for youth*
36 *increase school attendance and academic performance.*

37 (14) *California prevention services reach only 4.3 million people*
38 *annually, but the entire population of the state needs access to*
39 *prevention services.*

1 (15) *The use of alcohol is a factor in the majority of child and*
2 *spousal abuse cases, and is frequently associated with the abuse*
3 *of the elderly, mentally ill, and mentally retarded residents of*
4 *long-term care facilities.*

5 (16) *There are significant benefits of alcohol treatment and*
6 *recovery programs and they are effective. People who complete*
7 *treatment find employment and pay taxes, no longer suffer from*
8 *alcohol problems, and become productive members of their*
9 *communities.*

10 (17) *While the staggering cost of alcohol abuse is borne by all*
11 *Californians, 67 percent of the alcohol sold in California is*
12 *consumed by only 11 percent of the population.*

13 (18) *This division is necessary to mitigate the adverse effects*
14 *of alcohol use.*

15 (19) *It is the intent of the Legislature to impose a regulatory fee*
16 *pursuant to this division within the guidelines and limitations*
17 *approved by the Supreme Court of California in Sinclair Paint*
18 *Co. v. State Bd. of Equalization (1997) 15 Cal.4th 866.*

19 (20) *There is a nexus between the regulatory program of this*
20 *division and the source of harm, which is the alcohol product, and*
21 *a rational basis for the assessment of fees to the market. The*
22 *statutory definitions of alcohol in beer, wine, and distilled spirits*
23 *categories have been used consistently in police power regulations*
24 *of the state, and therefore are a rational basis for mitigation fee*
25 *assessment.*

26 (21) *It shall be considered a beneficial, regulatory goal of this*
27 *program to deter future harm by reducing consumption through*
28 *implementation of a mitigation fee that shall be paid in the stream*
29 *of commerce of the alcohol industry.*

30 (22) *It is reasonable to assess mitigation fees at the wholesale*
31 *level of the stream of commerce, as most alcohol products are*
32 *made outside of California and the ownership and corporate*
33 *structure is largely foreign causing practical complications, while*
34 *retail sales locations are much more numerous than wholesale*
35 *operations and therefore less efficiently assessed.*

36 11972.13. *As used in this division, the following terms have*
37 *the following meanings:*

38 (a) *“Department” means the State Department of Alcohol and*
39 *Drug Programs.*

1 (b) “ARS Program” means the Alcohol-Related Services
2 Program established pursuant to Section 11972.15.

3 (c) “ARSP Fund” means the Alcohol-Related Services Program
4 Fund established pursuant to Section 11972.20.

5 11972.15. (a) There is hereby established the Alcohol-Related
6 Services Program, to be administered by the State Department of
7 Alcohol and Drug Programs.

8 (b) (1) The ARS Program is established under the police powers
9 of the state as a regulatory and service program to protect the
10 health and safety of California residents who are harmed by the
11 pervasive influence of alcohol production, distribution, sales, and
12 consumption.

13 (2) The component alcohol-related services described in Section
14 11972.25, and authorized under the ARS Program, may mitigate
15 for the past, present, or future harm caused by alcohol products
16 in the stream of commerce in California.

17 (3) The ARS Program may support preexisting or new services.

18 (c) By April 1, 2010, the department shall adopt rules,
19 guidelines, procedures, and regulations necessary or appropriate
20 to carry out the purposes of this division, including guidelines
21 regarding the application process for contracts or grants under
22 component alcohol-related services of the ARS Program. Rules,
23 guidelines, procedures, and regulations may be adopted on an
24 emergency basis if necessary to meet the four-month deadline. The
25 rules, guidelines, and procedures shall be adopted in accordance
26 with the rulemaking provisions of the Administrative Procedure
27 Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of
28 Division 3 of Title 2 of the Government Code) and shall include
29 submissions by state agencies, nonprofit organizations, cities, and
30 counties of evidence of alcohol harm that causes the need and
31 nexus for the component alcohol-related services of the ARS
32 Program. The published rules, guidelines, and procedures shall
33 include supplemental findings to further demonstrate the
34 reasonable relationship between all component alcohol-related
35 services and the harm from the use of alcohol.

36 11972.20. (a) (1) Commencing January 1, 2010, a mitigation
37 fee is hereby imposed on all persons engaged in business in this
38 state, as described in Section 6203, and making sales of alcoholic
39 beverages, where the sale is for the purpose of resale in the regular

1 *course of business of the purchaser. The mitigation fee shall be*
2 *assessed at the first point of sale within the state.*

3 *(2) The mitigation fee shall be established at the following rates:*

4 *(A) On all beer, one dollar and seven cents (\$1.07) per gallon*
5 *and at a proportionate rate for any other quantity.*

6 *(B) On all still wines containing not more than 14 percent of*
7 *absolute alcohol by volume, two dollars and fifty-six cents (\$2.56)*
8 *per wine gallon and at a proportionate rate for any other quantity.*

9 *(C) On all still wines containing more than 14 percent of*
10 *absolute alcohol by volume, and on sparkling hard cider, four*
11 *dollars and twenty-seven cents (\$4.27) per wine gallon and at a*
12 *proportionate rate for any other quantity.*

13 *(D) On champagne and sparkling wine, excepting sparkling*
14 *hard cider, whether naturally or artificially carbonated, two dollars*
15 *and fifty-six cents (\$2.56) per wine gallon and at a proportionate*
16 *rate for any other quantity.*

17 *(E) On all distilled spirits, eight dollars and fifty-three cents*
18 *(\$8.53) per wine gallon and at a proportionate rate for any other*
19 *quantity.*

20 *(3) Annually the State Board of Equalization may authorize an*
21 *increase in these fees by an amount equal to the increase in the*
22 *California Consumer Price Index, as recorded by the Department*
23 *of Industrial Relations, for the most recent year available.*

24 *(4) The amount of the fee shall be sufficient to defray the costs*
25 *of the State Board of Equalization and the department in*
26 *implementing this division, but not in excess of the amount needed*
27 *to fully implement this division.*

28 *(b) (1) There is hereby established in the State Treasury the*
29 *Alcohol-Related Services Program Fund.*

30 *(2) Except for reimbursement for the State Board of Equalization*
31 *for expenses incurred in the administration and collection of the*
32 *fee imposed by this division, all funds collected pursuant to*
33 *subdivision (a), less refunds, shall be deposited in the ARSP Fund.*

34 *(3) Funds collected pursuant to this division and deposited in*
35 *the ARSP Fund shall be continuously appropriated to the*
36 *department, to be used exclusively by the department for the*
37 *purposes of funding the ARS Program pursuant to this division.*

38 *(4) Notwithstanding Section 16305.7 of the Government Code,*
39 *in addition to any funds collected by, or on behalf of, the State*

1 *Board of Equalization for deposit in the ARSP Fund, all interest*
2 *earned by the ARSP Fund shall be deposited in the ARSP Fund.*

3 *(c) The State Board of Equalization shall collect the mitigation*
4 *fee pursuant to the Fee Collection Procedures Law (Part 30*
5 *(commencing with Section 55001) of Division 2 of the Revenue*
6 *and Taxation Code).*

7 *(d) Any fee imposed pursuant to this division shall be consistent*
8 *with all applicable legal requirements for imposing fees, including*
9 *the requirements set forth in Sinclair Paint Co. v. State Bd. of*
10 *Equalization (1997) 15 Cal.4th 866.*

11 *11972.25. (a) Beginning April 1, 2010, the department shall*
12 *establish, enter into contracts for the establishment or continuation*
13 *of, or provide grants for the establishment or continuation of,*
14 *component services under the ARS Program. After the initial April*
15 *1, 2010, release date, the department shall release grants or*
16 *contracts on July 1, 2011, and every two years thereafter. No*
17 *service component shall be funded in excess of the cost of harm*
18 *caused by alcohol, which, in turn, caused the need for these*
19 *services.*

20 *(b) The department shall include five alcohol-related component*
21 *services in the ARS Program described in subdivision (d). The*
22 *department shall equally distribute available funding from the*
23 *ARSP Fund to the five alcohol-related component services in*
24 *subdivision (d).*

25 *(c) The department shall use the criteria of need, effectiveness,*
26 *and best practices as guidance in deciding on guidelines for the*
27 *service components. The department may, in its biennial update*
28 *of its guidelines, consider other varieties of services but shall show*
29 *the need, effectiveness, and best practices that those services bring*
30 *to the component service area.*

31 *(d) The ARS Program shall consist of all of the following*
32 *component services:*

33 *(1) Treatment and recovery services to mitigate the harm of*
34 *alcohol use. The types of services to be considered under this*
35 *paragraph shall include all of the following:*

36 *(A) Capital expenditures for housing, treatment facilities,*
37 *recovery facilities, domestic violence shelters, and homeless and*
38 *low-income facilities for persons recovering from alcohol abuse.*

39 *(B) Adult and adolescent treatment programs, including a full*
40 *continuum of active treatment, including cooccurring disorders*

1 *treatment programs and medication-assisted treatments and the*
2 *medications involved, inpatient or outpatient detoxification,*
3 *inpatient services, residential care, intensive outpatient programs,*
4 *office-based outpatient programs, case management services, and*
5 *recovery support services, for alcohol abuse treatment provided*
6 *by a specialty alcohol abuse provider or in a primary care or*
7 *nonalcohol abuse specialty setting, including, but not limited to,*
8 *a public health clinic, a federally qualified health center, a school*
9 *health clinic, or in a criminal justice setting or program by a*
10 *licensed alcohol abuse-trained medical doctor or registered nurse*
11 *or state-certified alcohol abuse professional.*

12 *(C) Workforce education to support updated 2009–11 alcohol*
13 *abuse licensure and certification requirements, as well as alcohol*
14 *abuse continuing education requirements and alcohol*
15 *abuse-related information technology training.*

16 *(D) Screening, brief intervention, and treatment for adults and*
17 *adolescents between 12 years of age and 18 years of age in public*
18 *and private hospital emergency rooms, schools, jails, courts and*
19 *prisons, public inpatient or residential treatment settings or*
20 *intensive outpatient or large office-based settings, and large public*
21 *urban and rural clinics.*

22 *(E) Infrastructure funds, including funding for capital requests,*
23 *information technology and electronic health records, and*
24 *associated equipment and training, including information*
25 *technology training, data analytic and reporting training,*
26 *management training, assessment training, evidence-based care*
27 *training, reimbursement training, and training in quality*
28 *improvement techniques and programs, including training in*
29 *meeting performance management standards.*

30 *(F) Special targeted alcohol abuse funding for the following*
31 *groups: veterans, including those from the National Guard and*
32 *reserves who are not included in Veterans Administration funding,*
33 *pregnant and parenting women, adolescents, alcohol-addicted*
34 *patients diagnosed with HIV, hepatitis C, or tuberculosis, or any*
35 *combination of those diagnoses, victims of crime or domestic*
36 *violence who have a post-traumatic stress disorder or severely*
37 *mentally impaired diagnosis, and nonalcohol abuse specialty*
38 *provider training in alcohol abuse identification, screening, brief*
39 *intervention and treatment, assessment and referrals outside of*

1 *screening, brief intervention and treatment, including reentry*
2 *programs for offenders.*

3 *(G) Expansion of alcohol abuse treatment and expertise in*
4 *California's rural areas through federally qualified health centers,*
5 *community health centers, rural hospital emergency rooms and*
6 *jails, including expanding the use of telemedicine consultations*
7 *to bring alcohol abuse expertise to rural providers and their*
8 *patients.*

9 *(H) Planning and data analysis funding, including intervention*
10 *evaluation funding and dissemination of results. Planning and*
11 *data analysis funding shall not include information technology*
12 *support.*

13 *(I) Integrated provision of services by certified providers in*
14 *nontraditional alcohol abuse settings, including mental health*
15 *settings, inpatient and outpatient specialty medical settings,*
16 *including obstetrics and gynecology, pediatrics and communicable*
17 *disease treatment settings, and large-volume primary care settings.*

18 *(2) Prevention, education, and research programs to prevent*
19 *the future use or future harm of alcohol products through*
20 *preventative screening, perinatal screening and care, public*
21 *education, targeted population education, and research on past*
22 *harm to better target prevention and treatment. The types of*
23 *programs to be considered under this paragraph include all of the*
24 *following:*

25 *(A) Prevention, screening, and care regarding the health needs*
26 *of infants, children, and women due to perinatal alcohol use.*

27 *(B) A new, coordinated statewide program that provides training*
28 *assistance, public policy assistance, and public awareness*
29 *campaigns to prevent the use and abuse of alcoholic beverages.*
30 *The public awareness campaigns shall focus on informing the*
31 *public, specifically children and young adults, of the potential*
32 *health risks of alcohol at all levels of consumption. Programs shall*
33 *include Spanish language and other threshold languages depending*
34 *on the population of the county involved in the program.*

35 *(C) Programs to prevent the use of alcoholic beverages among*
36 *high school age youth.*

37 *(D) Research on the epidemiology of alcohol-related illness*
38 *and injury.*

39 *(E) Research on the harm from alcohol use in California,*
40 *including the costs and benefits of alcohol use, production,*

1 *distribution, and retail sales, as background for better planning*
2 *for treatment and prevention.*

3 *(3) Emergency medical and trauma care treatment services at*
4 *the state, city, county, or city and county level that are directly*
5 *related to alcohol use, including transportation for those visits,*
6 *emergency, medical, and trauma care services, up to the time the*
7 *patient is stabilized, provided by physicians in general acute care*
8 *hospitals that provide basic or comprehensive emergency services.*
9 *The establishment of monitoring and reporting systems for best*
10 *practices in billing and service provision shall be considered.*

11 *(4) Hospitalization and rehabilitation services at the state, city,*
12 *county, or city and county level for illnesses caused or contributed*
13 *to by, or related to, alcohol use. The variety of services to be*
14 *considered under this paragraph shall include:*

15 *(A) Reimbursement to hospitals and clinics for costs not already*
16 *covered by private insurance or government programs for illness*
17 *caused or contributed to by, or related to, alcohol use.*

18 *(B) Vocational rehabilitation and recovery support services.*

19 *(C) Pharmaceuticals for treatment and rehabilitation of alcohol*
20 *addiction, including services to enhance Medicare and Medi-Cal*
21 *services and formularies, with an emphasis on generic and safe*
22 *substitutes for patent-protected drugs.*

23 *(5) Criminal justice and enforcement programs, at the state,*
24 *city, county, or city and county level. The variety of programs to*
25 *be considered under this paragraph shall include all of the*
26 *following:*

27 *(A) Programs to increase and improve the enforcement of laws*
28 *prohibiting driving under the influence of an alcoholic beverage*
29 *and related criminal justice and penal system costs and services.*

30 *(B) Programs to increase and improve the enforcement of*
31 *alcohol abuse-related criminal justice and penal system costs and*
32 *services.*

33 *(C) Law enforcement programs related to prevention of alcohol*
34 *use and abuse and criminal justice.*

35 ~~SECTION 1. The Legislature finds and declares all of the~~
36 ~~following:~~

37 ~~(a) Alcohol use drains California of approximately thirteen~~
38 ~~billion six hundred million dollars (\$13,600,000,000) annually in~~
39 ~~increased health care costs, higher crime rates, lost productivity,~~

1 environmental damage, and injuries from alcohol-related accidents
2 and abuse.

3 ~~(b) Alcohol-related accidents are the leading cause of death~~
4 ~~among teenagers and the cause of many permanently disabling~~
5 ~~injuries.~~

6 ~~(c) There is a strong correlation between alcohol and other drug~~
7 ~~use.~~

8 ~~(d) Meeting the need and demand for alcohol and other drug~~
9 ~~treatment and recovery programs is an increasingly expensive~~
10 ~~burden on all California taxpayers.~~

11 ~~(e) The use of alcohol and other drugs is a major cause of~~
12 ~~hospital emergency room and trauma care treatment, and therefore~~
13 ~~greatly contributes to the need for emergency medical~~
14 ~~air-transportation services.~~

15 ~~(f) The use of alcohol and other drugs is closely associated with~~
16 ~~mental illness and contributes enormously to the cost of treating~~
17 ~~the mentally ill.~~

18 ~~(g) The use of alcohol and other drugs is a major factor in the~~
19 ~~majority of child and spousal abuse cases, and is frequently~~
20 ~~associated with the abuse of the elderly, mentally ill, and mentally~~
21 ~~retarded residents of long-term care facilities.~~

22 ~~(h) Alcohol use during pregnancy causes approximately 5,000~~
23 ~~children to be born in California each year with alcohol-related~~
24 ~~birth defects; and other drug use during pregnancy, especially~~
25 ~~cocaine, affects thousands of babies born each year.~~

26 ~~(i) Drinking and driving, and driving under the influence of~~
27 ~~other drugs, is the major cause of traffic accidents and fatalities in~~
28 ~~California each year.~~

29 ~~(j) Alcohol and other drug-related crimes are an increasing~~
30 ~~burden to law enforcement and the criminal justice system in~~
31 ~~California.~~

32 ~~(k) While the staggering cost of alcohol abuse is borne by all~~
33 ~~Californians, 67 percent of the alcohol sold in California is~~
34 ~~consumed by only 11 percent of the population.~~

35 ~~(l) An additional levy on alcoholic beverages equivalent to ten~~
36 ~~cents (\$0.10) per drink is a fair and appropriate way to reduce~~
37 ~~alcohol's staggering burden on all of California's citizens.~~

38 ~~SEC. 2. Section 23335 is added to the Business and Professions~~
39 ~~Code, to read:~~

1 23335. ~~(a) A ten-cent (\$0.10) per drink surcharge is hereby~~
2 ~~imposed on all wholesalers located within the state who distribute~~
3 ~~alcoholic beverages to retailers for consumption in the state. The~~
4 ~~surcharge shall be based on 1.50 ounces of distilled spirits, 12~~
5 ~~ounces of beer, and 5 ounces of wine.~~

6 ~~(b) All funds paid pursuant to subdivision (a) shall be deposited~~
7 ~~in the Alcohol-Related Services Fund established pursuant to~~
8 ~~Division 121 (commencing with Section 151150) of the Health~~
9 ~~and Safety Code.~~

10 ~~(c) (1) The State Board of Equalization shall administer and~~
11 ~~collect the surcharge described in subdivision (a).~~

12 ~~(2) The State Board of Equalization shall be reimbursed for~~
13 ~~costs associated with implementing this section pursuant to Section~~
14 ~~1901 of the Health and Safety Code.~~

15 ~~(3) The State Board of Equalization may implement this section~~
16 ~~in a manner consistent with its current operations, to the extent~~
17 ~~possible, to allow for administrative efficiency, and may assess~~
18 ~~and collect surcharges, to the extent authorized in this section, at~~
19 ~~the same time and in the same or similar manner as provided for~~
20 ~~in the assessment and collection of taxes under the Alcoholic~~
21 ~~Beverage Tax Law (Part 14 (commencing with Section 32001) of~~
22 ~~Division 2 of the Revenue and Taxation Code).~~

23 ~~(d) Surcharges paid pursuant to this section shall be used solely~~
24 ~~to implement this section and Division 121 (commencing with~~
25 ~~Section 151150) of the Health and Safety Code.~~

26 ~~SEC. 3. Division 121 (commencing with Section 151150) is~~
27 ~~added to the Health and Safety Code, to read:~~

28

29 ~~DIVISION 121. ALCOHOL-RELATED SERVICES FUND~~

30

31 ~~151150. (a) There is hereby established in the State Treasury~~
32 ~~the Alcohol-Related Services (ARS) Fund.~~

33 ~~(b) Except for reimbursement of the State Board of Equalization~~
34 ~~for expenses incurred in the administration and collection of the~~
35 ~~surcharge imposed by Section 23335 of the Business and~~
36 ~~Professions Code, less refunds, shall be deposited in the~~
37 ~~Alcohol-Related Services (ARS) Fund.~~

38 ~~151151. Moneys in the fund shall, upon appropriation by the~~
39 ~~Legislature, be used by the State Department of Health Care~~
40 ~~Services to fund the following:~~

1 ~~(a) Programs to prevent the use and abuse of alcoholic beverages~~
2 ~~and other drugs.~~

3 ~~(b) Treatment and recovery services for alcohol and other drug~~
4 ~~addictions.~~

5 ~~(c) A coordinated statewide program that provides training~~
6 ~~assistance, public policy assistance, and public awareness~~
7 ~~campaigns to prevent the use and abuse of alcoholic beverages~~
8 ~~and other drugs. The public awareness campaigns shall focus on~~
9 ~~informing the public, specifically children and young adults, of~~
10 ~~the potential health risks of alcohol and other drug use.~~

11 ~~(d) Capital expenditures for housing, treatment and recovery~~
12 ~~facilities, domestic violence shelters, and homeless and low-income~~
13 ~~facilities for persons recovering from alcohol and other~~
14 ~~drug-related problems.~~

15 ~~(e) Emergency medical and trauma care treatment services that~~
16 ~~are directly related to alcohol use, including emergency, medical,~~
17 ~~and trauma care services, up to the time the patient is stabilized,~~
18 ~~provided by physicians in general acute care hospitals that provide~~
19 ~~basic or comprehensive emergency services.~~

20 ~~(f) Prevention, treatment, screening, and care regarding the~~
21 ~~health needs of infants, children, and women due to perinatal~~
22 ~~alcohol and other drug use.~~

23 ~~(g) Programs to increase and improve the enforcement of laws~~
24 ~~prohibiting driving under the influence of an alcoholic beverage~~
25 ~~or any other drug, or the combined influence of an alcoholic~~
26 ~~beverage and any other drug, and related criminal justice and penal~~
27 ~~system costs and services.~~

28 ~~(h) Programs to increase and improve the enforcement of~~
29 ~~alcohol and other drug-related laws, and related criminal justice~~
30 ~~and penal system costs and services.~~

31 ~~SEC. 4. This act provides for a tax levy within the meaning of~~
32 ~~Article IV of the Constitution and shall go into immediate effect.~~

O