

**HOUSE . . . . . No. 3776**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Kay Khan*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a substance abuse protection fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>

**HOUSE . . . . . No. 3776**

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 3776) of Kay Khan and others for legislation to establish a substance abuse protection fund. Mental Health, Substance Use and Recovery.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

An Act establishing a substance abuse protection fund.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 2. Section 6 of chapter 64H of the General Laws, as appearing in the 2016  
2 Official Edition, is hereby amended by striking out, in line 97, the following words:- alcoholic  
3 beverages as defined in chapter one hundred and thirty-eight except as hereinafter provided.

4 SECTION 1. Chapter 10 of the General Laws, as so appearing, is hereby amended by  
5 inserting after section 35LLL the following section:-

6 Section 35MMM. (a) There shall be established and set up on the books of the  
7 commonwealth a separate fund to be known as the substance abuse health protection fund. There  
8 shall be credited to the fund:

9 (i) all amounts collected under section 2 of chapter 64H and subsection (h) of section 6 of  
10 said chapter 64H from the sale of alcoholic beverages that are not considered to be sales of  
11 meals, together with any penalties, forfeitures, interest, costs of suits and fines collected in  
12 connection therewith, less all amounts refunded or abated in connection therewith, all as

13 determined by the commissioner of revenue according to the commissioner's best information  
14 and belief;

15 (ii) any appropriation, grant, gift or other contribution explicitly made to aid the fund; and

16 (iii) any income derived from the investment of amounts credited to the fund.

17 (b) One hundred per cent of the amounts credited to the fund shall be expended, without  
18 further appropriation, by the department of public health to provide funding, or supplement  
19 existing levels of funding, for the following purposes:-

20 (i) For a comprehensive substance abuse treatment program to be administered by the  
21 department of public health for the treatment of individuals who are dependent on or addicted to  
22 alcohol or controlled substances, and who lack public or private health insurance that would  
23 provide coverage for such treatment;

24 (ii) Subject to the approval of the department of public health, for comprehensive school  
25 health education programs to be administered by the department of elementary and secondary  
26 education; provided, that such programs shall incorporate information relating to the hazards of  
27 alcohol and controlled substance use;

28 (iii) Subject to the approval of the department of public health, for substance abuse  
29 treatment programs administered by the office of community corrections, the department of  
30 corrections, the department of children and families, the department of youth services and the  
31 office of the commissioner of probation; and

32           (iv) For community and workplace-based and community substance abuse prevention and  
33 drinking cessation programs, for substance abuse-related public service advertising and for drug  
34 and alcohol education program, to be administered by the department of public health.

35           (c) The commissioner of public health shall annually file a report with the house and  
36 senate committees on ways and means and the joint committee on public health detailing the  
37 activity of the fund.