

California Comprehensive Addiction Recovery Act; Funding

*CHAPTER x.x. This Act shall be known as the California Comprehensive Addiction Recovery Act;
Funding*

Section 11834.05 is added to the Health and Safety Code

(a) The California Comprehensive Addiction Recovery Act Fund is hereby created as a special fund in the State Treasury. All provisions of the California Comprehensive Addiction Recovery Act which benefit youth or transition aged youth shall be drawn from the Youth Education, Prevention, Early Intervention and Treatment Account first. The Department shall make a determination as to the level of funding to be transferred from the Youth Education, Prevention, Early Intervention and Treatment Account to enact the California Comprehensive Addiction Recovery Act during the regular budget process each year. Should the Department determine that any portion of the California Comprehensive Addiction Recovery does not meet a threshold for funding by the Youth Education, Prevention, Early Intervention and Treatment Account, that portion shall be funded, to the extent that revenue has been deposited, by the collection of surcharges in (b) and (c). All moneys collected by the department under 1465.9 of the Penal Code, and 11834.06 shall be deposited in the fund, for use by the department, upon appropriation by the Legislature, for the purposes of enacting provisions of the California Comprehensive Addiction Recovery Act as funds become available and are prioritized by the Department.

(b) Section 1463.24 is added to the Penal Code:

(1) In addition to an assessments levied pursuant to Sections 11350, 11352.1, 11352.5, 11356.5, 11357, 11257.5, 11358, 11359, 11360, 11362.4, 11364.7, 11366.7, 11370.6, 11370.9, 11371, 11372, 11372.5, 11374, 11375.5, an surcharge in the amount of 5% shall be imposed for each offense.

(2) After a determination by the court of the amount due, the clerk of the court shall cause the amount of the surcharge collected to be transmitted to the State Treasury to be deposited in the General Fund. The amount collected from the surcharge established by this section shall be transmitted to the State Treasury to be deposited in the California Comprehensive Addiction Recovery Act Fund.

(c) Section 11834.06 is added to the Health and Safety Code:

(1) Beginning January 1, 2018 the Department shall collect a \$100 surcharge for each individual treated at a certified or licensed program. The surcharge shall be calculated from treatment admissions from services provided during the previous licensing period.

(2) Any services provided to individuals at or below 150% of poverty shall not be included in the calculation of the surcharge.

(3) The amount collected from the surcharge established by this section shall be transmitted to the State Treasury to be deposited in the California Comprehensive Addiction Recovery Act Fund.