

SENATE BILL No. 505

June 28, 1989, Introduced by Senator CRUCE and referred to the Committee on Finance.

A bill to create the drug abuse prevention and education fund; to provide for expenditures from the fund; and to prescribe the powers and duties of certain state and local agencies and departments.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "drug abuse prevention and education act".

3 Sec. 2. As used in this act:

4 (a) "Department" means the department of education.

5 (b) "Fund" means the drug abuse prevention and education
6 fund created in section 3.

7 (c) "Intermediate district" means that term as defined in
8 section 4 of the school code of 1976, Act No. 451 of the Public
9 Acts of 1976, being section 380.4 of the Michigan Compiled Laws.

1 Sec. 3. The drug abuse prevention and education fund is
2 created as a separate fund in the state treasury. The fund shall
3 be expended only as provided in this act. The state treasurer
4 shall credit to the fund all amounts received under section 7524
5 of the public health code, Act No. 368 of the Public Acts of
6 1978, being section 333.7524 of the Michigan Compiled Laws. The
7 state treasurer shall invest fund money in the same manner as
8 surplus funds are invested under section 143 of Act No. 105 of
9 the Public Acts of 1855, being section 21.143 of the Michigan
10 Compiled Laws. Earnings from the fund shall be credited to the
11 fund.

12 Sec. 4. (1) Before July 31 of each year, the department
13 shall direct and authorize the state treasurer in writing to dis-
14 burse money from the fund to intermediate districts as provided
15 under section 5.

16 (2) An intermediate district that receives a disbursement
17 under this section shall distribute the disbursement to elemen-
18 tary and secondary schools within that intermediate district as
19 directed by the department.

20 (3) An elementary or secondary school that receives a dis-
21 bursement under this section shall only use that disbursement to
22 pay for the drug prevention and education programs of that
23 school.

24 (4) A disbursement under this act shall be used to enhance
25 and increase revenue for drug prevention and education programs,
26 and not to supplant local, federal, or other state funds that, in
27 the absence of a disbursement under this act, are available for

3 Sec. 5. (1) The department shall distribute 50% of the fund
4 to intermediate districts on an equal per pupil basis.

5 (2) After making the distributions required under subsection
6 (1), the department shall distribute to each intermediate dis-
7 trict a percentage of the fund equal to the percentage of the
8 money credited to the fund from drug forfeitures by police agen-
9 cies within that intermediate district. If a police agency has
10 jurisdiction extending into 2 or more intermediate districts, the
11 department shall distribute money under this subsection to each
12 of those intermediate districts based upon the proportional geo-
13 graphical area of jurisdiction of that police agency in each of
14 those intermediate districts.

15 Sec. 6. The department shall promulgate rules to implement
16 this act.

17 Sec. 7. This act shall not take effect unless Senate Bill
18 No. 506 of the
19 85th Legislature is enacted into law.