

SENATE No. 759

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to substance addiction treatment..

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 XX:

2 SECTION 1. Chapter 29 of the General Laws, as appearing in the official 2006 version, is
3 hereby amended, by inserting after section 2XXX the following section: -

4 Section 2YYY. There shall be established and set up on the books of the commonwealth
5 a separate fund to be known as the Substance Abuse Health Protection Fund. Amounts credited
6 to the fund shall be expended, not subject to appropriation, by the department of public health to
7 provide funding or supplement existing levels of funding for the following purposes: (a) For a
8 comprehensive substance abuse treatment program, to be administered by the department of
9 public health, for the treatment of individuals who are dependent on or addicted to alcohol or
10 controlled substances, or both alcohol and controlled substances and who lack public or private
11 health insurance that would provide coverage for such treatment;

12 (b) To fund such substance abuse treatment programs, subject to approval by the
13 department of public health, administered by the office of community corrections, the office of

14 the district attorney, the department of corrections, the department of social services, the
15 department of youth services or the office of the commissioner of probation;

16 (c) For comprehensive school health education programs, subject to approval by the
17 department of public health, administered by the department of education, provided that such
18 programs shall incorporate information relating to the hazards of alcohol and controlled
19 substances use;

20 (d) For workplace-based and community substance abuse prevention and drinking
21 cessation programs, for substance abuse-related public service advertising and for drug and
22 alcohol education programs, administered by the department of public health; and

23 (e) For outpatient substance abuse treatment services, subject to approval by the
24 department of public health, administered by the office of community corrections, the office of
25 the district attorney, the department of corrections, the department of social services, the
26 department of youth services or the office of the commissioner of probation, for the outreach,
27 counseling, training and follow-up of individuals who have received treatment for or are
28 dependent on or addicted to alcohol or controlled substances.

29 No expenditure from the fund shall cause the fund to become deficient at any point
30 during the fiscal year.

31 SECTION 2. Notwithstanding clause (g) of section 6 of chapter 64H or any other general
32 or special law to the contrary, there shall be a sales tax of 5 per cent on each vendors gross
33 receipts on each sale at retail of alcoholic beverages for off-premises consumption.

34 Notwithstanding any general or special law to the contrary, the proceeds of said tax together with
35 any penalties, forfeitures, interest, costs of suits and fines collected in connection therewith, all

36 as determined by the commissioner of revenue according to his best information and belief shall
37 be credited to the Substance Abuse Health Protection Fund. Any appropriation, grant, gift, or
38 other contribution explicitly made to said fund at any time, and any income derived from the
39 investment of amounts credited to said fund shall also be credited to the Substance Abuse Health
40 Protection Fund.”