

***Date of State Budget Office Approval:***

***Date Requested:*** Tuesday, February 11, 2014

***Date Due:*** Friday, February 21, 2014

***Impact on Expenditures***

FY 2014 \$277,300  
 FY 2015 \$277,300  
 FY 2016 \$277,300

***Impact on Revenues***

FY 2014 \$0  
 FY 2015 \$0  
 FY 2016 \$0

***Explanation by State Budget Office:***

This proposed legislation amends Rhode Island General Laws 21-28-4.01, 16-21.2-4, and 16-21.2-5 to redirect substance abuse prevention and drug awareness and treatment funds from state general revenues to the Student Assistance Program as set forth by the Rhode Island Substance Abuse Prevention Act in Chapter 16-21, which is managed by the Department of Behavioral Healthcare, Developmental Disabilities, and Hospitals (BHDDH). This act shall take effect upon passage.

***Comments on Sources of Funds:***

Currently, all fines collected by the Rhode Island Traffic Tribunal (RITT) that are related to this legislation are deposited in the State general fund and the Student Assistance Program is financed by BHDDH through federal block grants. The intention of this proposal is to expand the program with additional funding through general revenues. The passage of this bill would authorize that the fines collected be redirected to BHDDH rather than the State general fund. Since the fines are already deposited as general revenue, an increase in general revenue appropriation to BHDDH would be required.

***Summary of Facts and Assumptions:***

The Rhode Island Traffic Tribunal collects all money associated with civil fines issued under 21-28-4.01(c)(2)(iii) and 21-28-4.01(c)(2)(iv) of the Rhode Island General Laws, which establishes the penalties associated with possession of one ounce or less of marijuana for individuals over and under the age of 18 on the first and second offenses within an eighteen (18) month period. The current law states that these fines shall be expended on drug awareness and treatment and shall be deposited as general revenues. There are numerous state agencies that provide services related to drug awareness and prevention; therefore, the dollars collected are deposited into the State general fund and not targeted towards any specific State agency.

This proposal redirects dollars collected from these fines from the State general fund to the Student Assistance Program that is funded by the Department of Behavioral Healthcare, Developmental Disabilities, and Hospitals. Student Assistance Programs place counselors into middle school and high schools to assist troubled students. These programs exist in approximately half of the Rhode Island Schools. Funding is provided by BHDDH to the programs directly, not to the host municipality.

Until recently, the Judiciary did not have a method of segregating dollars by type of fines. Rhode Island Traffic Tribunal (RITT) has notified the Budget Office that it has collected a total of \$230,743 of the \$391,690 fines assessed since April of 2013. Fines collected for all penalties established in law are currently deposited into the

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# State Fiscal Note for Bill Number: 2014-H-7145

State general fund as a departmental receipt for the RITT. As of February of 2014, there was approximately ten months of assessed fines that equated to \$391,690 with a collection rate of fifty-nine percent (59%). This annualizes to an estimated \$470,000 in assessed fines with \$277,300 in collections.

*Summary of Fiscal Impact:*

The passage of this bill would increase general revenue expenditures by \$277,300 annually.

Budget Office Signature:

*Thomas A. Mullany*

Fiscal Advisor Signature:

*Kenlee Smith*

*note there is a drafty error that references chapter 16-21 instead of 16-21.2*