

1 HOUSE BILL NO. 369

2 INTRODUCED BY M. CAFERRO, E. MCCLAFFERTY

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO SUPPORTING
 5 SCHOOL-BASED MENTAL HEALTH PROMOTION AND WELLNESS PROGRAMS; UTILIZING EXISTING
 6 REVENUE FROM ALCOHOL TAXES ALLOCATED TO THE DEPARTMENT OF PUBLIC HEALTH AND
 7 HUMAN SERVICES FOR GRANTS FOR SCHOOL-BASED MENTAL HEALTH PROMOTION AND
 8 WELLNESS PROGRAMS; PROVIDING A STATUTORY APPROPRIATION; AMENDING SECTION 53-24-108,
 9 MCA; AND PROVIDING AN EFFECTIVE DATE."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12
 13 **Section 1.** Section 53-24-108, MCA, is amended to read:

14 **"53-24-108. Use of funds generated by taxation on alcoholic beverages.** (1) Revenue generated
 15 by 16-1-404, 16-1-406, and 16-1-411 and allocated to the department to be used in state-approved private or
 16 public programs whose function is the treatment, rehabilitation, and prevention of alcoholism, which for the
 17 purposes of this section includes chemical dependency, must be distributed as follows:

18 (a) 20% is statutorily appropriated, as provided in 17-7-502, to be allocated as provided in 53-24-
 19 206(3)(b), and must be distributed as grants to state-approved private or public alcoholism programs;

20 (b) 6.6% is statutorily appropriated, as provided in 17-7-502, to be distributed to state-approved
 21 private or public alcoholism programs that provide services for treatment and rehabilitation for persons with co-
 22 occurring serious mental illness and chemical dependency; ~~and~~

23 (c) 5% is statutorily appropriated, as provided in 17-7-502, to be distributed as grants for school-
 24 based mental health promotion and wellness programs that:

25 (i) build resiliency in youth and lead to reductions in serious mental illness, chemical dependency, and
 26 suicidality; and

27 (ii) have been cited as effective by peer-reviewed research or literature;

28 ~~(e)(d)~~ the remainder of funds not statutorily appropriated in subsections (1)(a) ~~and (1)(b)~~ through

1 (1)(c) may be distributed:

2 (i) as payment of fees for alcoholism services provided by state-approved private or public alcoholism
3 programs and licensed hospitals for detoxification services; or

4 (ii) as matching funds for the Montana medicaid program administered by the department that are used
5 for alcoholism and chemical dependency programs.

6 (2) A person operating a state-approved alcoholism program may not be required to provide matching
7 funds as a condition of receiving a grant under subsection (1)(a).

8 (3) In addition to funding received under this section, a person operating a state-approved alcoholism
9 program may accept gifts, bequests, or the donation of services or money for the treatment, rehabilitation, or
10 prevention of alcoholism.

11 (4) A person receiving funding under this section to support operation of a state-approved alcoholism
12 program may not refuse alcoholism treatment, rehabilitation, or prevention services to a person solely because
13 of that person's inability to pay for those services.

14 (5) A grant made under this section is subject to the following conditions:

15 (a) The grant application must contain an estimate of all program income, including income from
16 earned fees, gifts, bequests, donations, and grants from other than state sources during the period for which
17 grant support is sought.

18 (b) Whenever, during the period of grant support, program income exceeds the amount estimated in
19 the grant application, the amount of the excess must be reported to the grantor.

20 (c) The excess must be used by the grantee under the terms of the grant in accordance with one or a
21 combination of the following options:

22 (i) use for any purpose that furthers the objectives of the legislation under which the grant was made;

23 or

24 (ii) to allow program growth through the expansion of services or for capital expenditures necessary to
25 improve facilities where services are provided.

26 (6) Revenue generated by 16-1-404, 16-1-406, and 16-1-411 for the treatment, rehabilitation, and
27 prevention of alcoholism that has not been encumbered for those purposes by the counties of Montana or the
28 department must be returned to the state special revenue fund for the treatment, rehabilitation, and prevention

1 of alcoholism within 30 days after the close of each fiscal year and must be distributed by the department the
2 following year as provided in 53-24-206(3)(b)."

3

4 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2021.

5

- END -