

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Budget Committee

BILL: SB 2104 (SPB 7098)

INTRODUCER: Budget Committee

SUBJECT: Office of Drug Control

DATE: April 1, 2011

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hawkins	Meyer, C.		SPB 7098 Favorable
2.				
3.				
4.				
5.				
6.				

I. Summary:

This bill disestablishes the Office of Drug Control within the Executive Office of the Governor (office of drug control), and disestablishes the Seaport Security Standards Advisory Council therein.

The bill relocates the Statewide Office for Suicide Prevention (statewide office) from within the office of drug control to the Department of Children and Families (DCF). The bill repeals the requirement that the statewide office provide access to suicide prevention educational resources for use in the school district professional development system

The Statewide Drug Policy Advisory Council (council) is relocated from the Executive Office of the Governor to the Department of Health (DOH).

This bill substantially amends the following sections of the Florida Statutes: 14.2019, 14.20195, 311.12, 311.123, 397.333, 893.055, 943.031, and 943.042, F.S.

The bill repeals the following sections of the Florida Statutes: 311.115, 397.332, and 1006.07(7).

II. Present Situation:

In 1999, the Legislature created the Office of Drug Control and the Drug Policy Advisory Council in the Executive Office of the Governor.¹ The primary purposes of the office are to coordinate drug control efforts; provide information to the public about the problem of substance

¹ Chapter 1999-187, L.O.F.

abuse and services available; and develop a strategic program and funding to coordinate state agency activities relating to drug control.²

The director of the office chairs the Drug Policy Advisory Council,³ Seaport Standards Advisory Council,⁴ the Suicide Prevention Coordinating Council,⁵ and the Prescription Drug Monitoring Program Oversight and Implementation Task Force.⁶

- *The Drug Policy Advisory Council* is to conduct a comprehensive analysis of the problem of substance abuse in Florida and make recommendations to the Governor and Legislature for developing and implementing a state drug-control strategy.⁷
- *The Seaport Security Standards Advisory Council* reviews statewide minimum standards for seaport security in relation to combating current narcotics and terrorism threats to Florida's seaports.⁸
- *The Suicide Prevention Coordinating Council* developed strategies for preventing suicide and advised the Statewide Office for Suicide Prevention regarding the development of a statewide plan for suicide prevention.⁹
- *The Prescription Drug Monitoring Program Oversight and Implementation Task Force* is to monitor the implementation and safeguarding of the electronic system established for the prescription drug monitoring program,¹⁰ and to ensure the privacy and protection of individual medication history, and appropriate use of the electronic system by physicians, dispensers, pharmacies, law enforcement agencies, and those authorized to request information from the monitoring program's database.¹¹

III. Effect of Proposed Changes:

This bill disestablishes the Office of Drug Control within the Executive Office of the Governor by repealing s. 397.332, F.S.

The bill disestablishes the Seaport Security Standards Advisory Council from within the Governor's Office of Drug Control by repealing s. 311.115, F.S.

The bill relocates the Statewide Office for Suicide Prevention (statewide office) from within the Governor's Office of Drug Control to the Department of Children and Families. The bill directs that revenues from grants are to be deposited in DCF's Grants and Donations Trust Fund, rather than in that of the Executive Office of the Governor. Membership of the Suicide Prevention Coordinating Council is revised from 28 voting members to 27 voting and one nonvoting

² Section 397.332(2), F.S.

³ Section 397.333, F.S.

⁴ Section 311.115, F.S.

⁵ Section 14.20195, F.S.

⁶ Section 2 of Chapter 2009-198, L.O.F., created the Task Force. The Task Force expires on July 1, 2012.

⁷ Governor's Office of Drug Control, Advisory Councils and Task Forces. Available at

<http://drugcontrol.flgov.com/advisorycouncil.php#dpac> (last visited March 25, 2011).

⁸ *Id.* The last meeting of the Seaport Security Standards Advisory Council appears to have been on April 18, 2008.

⁹ *Id.*

¹⁰ Established in ss. 893.055 and 893.0551, F.S.

¹¹ Governor's Office of Drug Control, Advisory Councils and Task Forces.

member. Thirteen members are appointed by the director of the statewide office, who is the nonvoting member and chair.

The Statewide Drug Policy Advisory Council (council) is relocated from the Executive Office of the Governor to the Department of Health (DOH) by amending s. 397.333, F.S. The Surgeon General or his designee is a nonvoting ex officio member and council chair. The bill provides that the director of the Office of Planning and Budgeting may appoint a designee to be a nonvoting ex officio council member. DOH is required to provide staff support for the council.

The membership of the Florida Violent Crime and Drug Control Council, established in s. 943.031(2), F.S., is revised to replace the director of the office of drug control with the policy coordinator in the Public Safety Unit of the Office of Planning and Budgeting. Similarly, s. 943.031(6), F.S., is amended to replace the director with the director of the Office of Planning and Budgeting on the Drug Control Strategy and Criminal Gang Committee.

The bill repeals s. 1006.07(7), F.S., which requires the Office of Suicide Prevention to provide access to suicide prevention educational resources for use in the school district professional development system under s. 1012.98.

The bill amends ss. 14.2019, 14.20195, 311.12, 311.123, 397.333, 893.055, 943.031, 943.042, F.S. to conform the statutes to the changes made in this bill.

The Division of Statutory Revision of the Office of Legislative Services is requested to prepare a reviser's bill for consideration in the 2012 Regular Session of the Legislature to conform the statutes to the changes made by the act.

The act is effective July 1, 2011.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Senate Bill 2000, relating to Fiscal Year 2011-2012 General Appropriations, eliminates two full time equivalent positions and \$150,000 in general revenue for the Office of Suicide Prevention and five full time equivalent positions and \$431,743 in general revenue for the Office of Drug Control. Also, \$439,062 in Under Age Drinking Laws Federal Block Grant Funds are transferred to the Department of Business and Professional Regulations. These funding recommendations were also included in the Governor's Budget Recommendation.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.