**** BILL NO. ****

INTRODUCED BY ****

BY REQUEST OF THE ****

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE MARIJUANA PREVENTION EDUCATION PROGRAM; REVISING THE DISTRIBUTION OF FUNDS FROM THE MARIJUANA STATE SPECIAL REVENUE ACCOUNT AND THE HEALING AND ENDING ADDICTION THROUGH RECOVERY AND TREATMENT ACCOUNT; AMENDING SECTIONS 16-12-111 AND 16-12-122, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

<u>NEW SECTION.</u> **Section 1. Marijuana prevention education program.** (1) There is a marijuana prevention education program funded by the healing and ending addiction through recovery and treatment account established in 16-12-122.

(2) DPHHS shall award funds for the program through a competitive grant process to a qualified entity with demonstrated expertise in public health education, prevention science, media campaigns, and sector-specific training.

(3) The program must provide education tailored to the following populations:

(a) medical and behavioral health providers;

(b) adults, parents, youth, and pregnant or postpartum individuals;

(c) licensed recreational marijuana vendors and retail staff;

(d) probation, youth court, and justice system personnel; and

(e) tribal communities.

(4) The selected entity shall:

(a) conduct a statewide inventory of existing substance use education programs, especially marijuana education programs;

(b) scale evidence-based programs to suit the needs of Montana;

(c) develop and implement a coordinated statewide public education campaign addressing the risks of marijuana, including high-potency marijuana and unregulated or illicit products;

(d) develop training materials and toolkits designed for each population enumerated in subsection (3);

(e) establish measurable outcomes and performance metrics;

(f) coordinate with the department of public health and human services to ensure consistent messaging with state agencies and community prevention partners, pursuant to subsection (5)(c); and

(g) report quarterly to the department of public health and human services.

(5) The department of public health and human services shall:

(a) oversee the program by approving contracts, monitoring performance, and ensuring compliance with reporting requirements;

(b) submit an annual report to the legislature in accordance with 5-11-210 that details:

(i) total funds allocated and expended;

(ii) geographic distribution of services and outreach;

(iii) number of individuals reached in each category prescribed in subsection (3);

(iv) public campaign impressions and engagement metrics;

(v) number and type of population-specific trainings delivered;

(vi) evidence-based standards utilized;

(vii) outcome indicators measuring changes in awareness, knowledge, or protective factors where measurable; and

(viii) evaluation findings and performance benchmarks program implementation, expenditures, geographic reach, sector engagement, and measurable outcomes; and

(c) coordinate with the following agencies, governments, and organizations to ensure alignment of messaging, avoid duplication of existing prevention efforts, and support sector-specific implementation across education, health care, justice, and community systems:

(i) the office of public instruction;

(ii) the department of justice;

(iii) the department of revenue;

(iv) the Montana university system;

(v) tribal governments and tribal health authorities;

(vi) local governments and local public health departments; and

(vii) community organizations.

Section 2. Section 16-12-111, MCA, is amended to read:

"**16-12-111. Marijuana state special revenue account -- operating reserve -- transfer of excess funds.** (1) There is a dedicated marijuana state special revenue account within the state special revenue fund established in 17-2-102, to be administered by the department.

(2) The account consists of:

(a) money deposited into the account pursuant to this chapter;

(b) the taxes collected pursuant to Title 15, chapter 64, part 1;

(c) license and registered cardholder fees deposited into the account pursuant to this chapter;

(d) taxes deposited into the account pursuant to 16-12-310; and

(e) civil penalties collected under this chapter.

(3) Except as provided in subsection (4), money in the account must be used by the department for the purpose of administering the provisions of this chapter.

(4) At the end of each fiscal year, the department shall transfer funds in excess of a 3-month operating reserve necessary to fund operating costs at the beginning of the next fiscal year in the following order:

(a) 11% must be transferred to the healing and ending addiction through recovery and treatment (HEART) account established in 16-12-122;

(b) the net balance remaining after distribution to the HEART account must be distributed as follows:

(if) 20% to the habitat legacy account provided for in 87-5-811;

(ii) 4% to the state park account established in 23-1-105(1);

(iii) 4% to the trails and recreational facilities account established in 23-2-108;

(iv) 4% to the nongame wildlife account established in 87-5-121;

(v) 3% or $200,000, whichever is less, to the veterans and surviving spouses state special revenue account provided for in 10-2-108;

(vi) $150,000 to the board of crime control to fund crisis intervention team training as provided in 44-7-110;

(vii) $1,000,000 to the marijuana prevention education program provided for in [section 1]; and

~~(vii)~~(viii) the remainder to the general fund."

Section 3. Section 16-12-122, MCA, is amended to read:

"**16-12-122. Healing and ending addiction through recovery and treatment account -- report.** (1) There is a healing and ending addiction through recovery and treatment account in the state special revenue fund. The account consists of money transferred to the account pursuant to 16-12-111.

(2) Revenue in the account must be used to provide statewide programs for:

(a) substance use disorder prevention;

(b) youth suicide prevention;

(c) mental health promotion; ~~and~~

(d) the marijuana prevention education program provided for in [section 1]; and

~~(d)~~(e) crisis, treatment, and recovery services for substance use and mental health disorders. The services include but are not limited to crisis stabilization services as defined in 53-21-1401 and provided under Title 53, chapter 6, or Title 53, chapter 21, part 14.

(3) The programs must be designed to:

(a) increase the number of individuals choosing treatment over incarceration;

(b) improve access to, utilization of, and engagement and retention in prevention, treatment, and recovery support services;

(c) expand the availability of community-based services that reflect best practices or are evidence-based;

(d) leverage additional federal funds when available for the healthy Montana kids plan provided for in Title 53, chapter 4, part 11, and the medicaid program provided for in Title 53, chapter 6, for the purposes of this section;

(e) provide funding for programs and services that are described in subsections (2)(a) through (2)(d) and provided on an Indian reservation located in this state; or

(f) provide funding for grants and services to tribes for use in accordance with this section.

(4) (a) An amount not to exceed $500,000, including eligible federal matching sources when applicable, must be used to provide funding for grants and services to tribes for tobacco prevention and cessation, substance use disorder prevention, mental health promotion, and substance use disorder and mental health crisis, treatment, and recovery services.

(b) The department of public health and human services shall:

(i) manage the programs funded by the special revenue account;

(ii) adopt rules to implement the programs; and

(iii) provide a written report to the children, families, health, and human services interim committee, in accordance with 5-11-210, no later than September 1 of each year on the programs, grants, and services funded under this section. The report must include the amount of funding each program received.

(5) The legislature shall appropriate money from the state special revenue account provided for in this section for:

(a) the chemical dependency treatment room and board voucher program provided for in 53-24-218; ~~and~~

(b) the programs referred to in this section; and

(c) the marijuana prevention education program provided for in [section 1].

(6) Programs funded under this section must be funded through contracted services with service providers. (Subsection (5)(a) terminates June 30, 2027--sec. 7, Ch. 187, L. 2023.)"

NEW SECTION. **Section 4. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 54, chapter 24, and the provisions of Title 54, chapter 24, apply to [section 1].

NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2027.

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