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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO FOOD AND DRUGS - UNIFORMED CONTROLLED SUBSTANCE ACT

Introduced By: Senator Joshua Miller

Date Introduced: March 06, 2013

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-28-4.01 of the General Laws in Chapter 21-28 entitled "Uniform
2 Controlled Substances Act" is hereby amended to read as follows:

3 **21-28-4.01. Prohibited acts A -- Penalties. [Effective until April 1, 2013.] --** (a) (1)
4 Except as authorized by this chapter, it shall be unlawful for any person to manufacture, deliver,
5 or possess with intent to manufacture or deliver a controlled substance.

6 (2) Any person who is not a drug addicted person, as defined in section 21-28-1.02(18),
7 who violates this subsection with respect to a controlled substance classified in schedule I or II,
8 except the substance classified as marijuana, is guilty of a crime and upon conviction may be
9 imprisoned to a term up to life, or fined not more than five hundred thousand dollars (\$500,000)
10 nor less than ten thousand dollars (\$10,000), or both.

11 (3) Where the deliverance as prohibited in this subsection shall be the proximate cause of
12 death to the person to whom the controlled substance is delivered, it shall not be a defense that
13 the person delivering the substance was at the time of delivery, a drug addicted person as defined
14 in section 21-28-1.02(18).

15 (4) Any person, except as provided for in subdivision (2) of this subsection, who violates
16 this subsection with respect to:

17 (i) A controlled substance classified in schedule I or II, is guilty of a crime and upon
18 conviction may be imprisoned for not more than thirty (30) years, or fined not more than one
19 hundred thousand dollars (\$100,000) nor less than three thousand dollars (\$3,000), or both;

1 (ii) A controlled substance classified in schedule III or IV, is guilty of a crime and upon
2 conviction may be imprisoned for not more than twenty (20) years, or fined not more than forty
3 thousand dollars (\$40,000), or both; provided, with respect to a controlled substance classified in
4 schedule III(d), upon conviction may be imprisoned for not more than five (5) years, or fined not
5 more than twenty thousand dollars (\$20,000), or both.

6 (iii) A controlled substance classified in schedule V, is guilty of a crime and upon
7 conviction may be imprisoned for not more than one year, or fined not more than ten thousand
8 dollars (\$10,000), or both.

9 (b) (1) Except as authorized by this chapter, it is unlawful for any person to create,
10 deliver, or possess with intent to deliver, a counterfeit substance.

11 (2) Any person who violates this subsection with respect to:

12 (i) A counterfeit substance classified in schedule I or II, is guilty of a crime and upon
13 conviction may be imprisoned for not more than thirty (30) years, or fined not more than one
14 hundred thousand dollars (\$100,000), or both;

15 (ii) A counterfeit substance classified in schedule III or IV, is guilty of a crime and upon
16 conviction may be imprisoned for not more than twenty (20) years, or fined not more than forty
17 thousand dollars (\$40,000), or both; provided, with respect to a controlled substance classified in
18 schedule III(d), upon conviction may be imprisoned for not more than five (5) years, or fined not
19 more than twenty thousand dollars (\$20,000) or both.

20 (iii) A counterfeit substance classified in schedule V, is guilty of a crime and upon
21 conviction may be imprisoned for not more than one year, or fined not more than ten thousand
22 dollars (\$10,000), or both.

23 (c) (1) It shall be unlawful for any person knowingly or intentionally to possess a
24 controlled substance, unless the substance was obtained directly from or pursuant to a valid
25 prescription or order of a practitioner while acting in the course of his or her professional
26 practice, or except as otherwise authorized by this chapter.

27 (2) Any person who violates this subsection with respect to:

28 (i) A controlled substance classified in schedules I, II and III, IV, and V, except the
29 substance classified as marijuana, is guilty of a crime and upon conviction may be imprisoned for
30 not more than three (3) years or fined not less than five hundred dollars (\$500) nor more than five
31 thousand dollars (\$5,000), or both;

32 (ii) A controlled substance classified in schedule I as marijuana is guilty of a
33 misdemeanor and upon conviction may be imprisoned for not more than one year or fined not less
34 than two hundred dollars (\$200) nor more than five hundred dollars (\$500), or both.

1 (3) Additionally every person convicted or who pleads nolo contendere under paragraph
2 (2)(i) of this subsection or convicted or who pleads nolo contendere a second or subsequent time
3 under paragraph (2)(ii) of this subsection, who is not sentenced to a term of imprisonment to
4 serve for the offense, shall be required to:

5 (i) Perform, up to one hundred (100) hours of community service;

6 (ii) Attend and complete a drug counseling and education program as prescribed by the
7 director of the department of mental health, retardation and hospitals and pay the sum of four
8 hundred dollars (\$400) to help defray the costs of this program which shall be deposited as
9 general revenues. Failure to attend may result after hearing by the court in jail sentence up to one
10 year;

11 (iii) The court shall not suspend any part or all of the imposition of the fee required by
12 this subsection, unless the court finds an inability to pay;

13 (iv) If the offense involves the use of any automobile to transport the substance or the
14 substance is found within an automobile, then a person convicted or who pleads nolo contendere
15 under paragraphs (2)(i) and (ii) of this subsection shall be subject to a loss of license for a period
16 of six (6) months for a first offense and one year for each offense after this.

17 (4) All fees assessed and collected pursuant to paragraph (3)(ii) of this subsection shall
18 be deposited as general revenues and shall be collected from the person convicted or who pleads
19 nolo contendere before any other fines authorized by this chapter.

20 (d) It shall be unlawful for any person to manufacture, distribute, or possess with intent
21 to manufacture or distribute, an imitation controlled substance. Any person who violates this
22 subsection is guilty of a crime, and upon conviction shall be subject to the same term of
23 imprisonment and/or fine as provided by this chapter for the manufacture or distribution of the
24 controlled substance which the particular imitation controlled substance forming the basis of the
25 prosecution was designed to resemble and/or represented to be; but in no case shall the
26 imprisonment be for more than five (5) years nor the fine for more than twenty thousand dollars
27 (\$20,000).

28 (e) It shall be unlawful for a practitioner to prescribe, order, distribute, supply, or sell an
29 anabolic steroid or human growth hormone for: (1) enhancing performance in an exercise, sport,
30 or game, or (2) hormonal manipulation intended to increase muscle mass, strength, or weight
31 without a medical necessity. Any person who violates this subsection is guilty of a misdemeanor
32 and upon conviction may be imprisoned for not more than six (6) months or a fine of not more
33 than one thousand dollars (\$1,000), or both.

34 **21-28-4.01. Prohibited acts A -- Penalties. [Effective April 1, 2013.]** -- (a) (1) Except

1 as authorized by this chapter, it shall be unlawful for any person to manufacture, deliver, or
2 possess with intent to manufacture or deliver a controlled substance.

3 (2) Any person who is not a drug addicted person, as defined in section 21-28-1.02(18),
4 who violates this subsection with respect to a controlled substance classified in schedule I or II,
5 except the substance classified as marijuana, is guilty of a crime and upon conviction may be
6 imprisoned to a term up to life, or fined not more than five hundred thousand dollars (\$500,000)
7 nor less than ten thousand dollars (\$10,000), or both.

8 (3) Where the deliverance as prohibited in this subsection shall be the proximate cause of
9 death to the person to whom the controlled substance is delivered, it shall not be a defense that
10 the person delivering the substance was at the time of delivery, a drug addicted person as defined
11 in section 21-28-1.02(18).

12 (4) Any person, except as provided for in subdivision (2) of this subsection, who violates
13 this subsection with respect to:

14 (i) A controlled substance classified in schedule I or II, is guilty of a crime and upon
15 conviction may be imprisoned for not more than thirty (30) years, or fined not more than one
16 hundred thousand dollars (\$100,000) nor less than three thousand dollars (\$3,000), or both;

17 (ii) A controlled substance classified in schedule III or IV, is guilty of a crime and upon
18 conviction may be imprisoned for not more than twenty (20) years, or fined not more than forty
19 thousand dollars (\$40,000), or both; provided, with respect to a controlled substance classified in
20 schedule III(d), upon conviction may be imprisoned for not more than five (5) years, or fined not
21 more than twenty thousand dollars (\$20,000), or both.

22 (iii) A controlled substance classified in schedule V, is guilty of a crime and upon
23 conviction may be imprisoned for not more than one year, or fined not more than ten thousand
24 dollars (\$10,000), or both.

25 (b) (1) Except as authorized by this chapter, it is unlawful for any person to create,
26 deliver, or possess with intent to deliver, a counterfeit substance.

27 (2) Any person who violates this subsection with respect to:

28 (i) A counterfeit substance classified in schedule I or II, is guilty of a crime and upon
29 conviction may be imprisoned for not more than thirty (30) years, or fined not more than one
30 hundred thousand dollars (\$100,000), or both;

31 (ii) A counterfeit substance classified in schedule III or IV, is guilty of a crime and upon
32 conviction may be imprisoned for not more than twenty (20) years, or fined not more than forty
33 thousand dollars (\$40,000), or both; provided, with respect to a controlled substance classified in
34 schedule III(d), upon conviction may be imprisoned for not more than five (5) years, or fined not

1 more than twenty thousand dollars (\$20,000) or both.

2 (iii) A counterfeit substance classified in schedule V, is guilty of a crime and upon
3 conviction may be imprisoned for not more than one year, or fined not more than ten thousand
4 dollars (\$10,000), or both.

5 (c) (1) It shall be unlawful for any person knowingly or intentionally to possess a
6 controlled substance, unless the substance was obtained directly from or pursuant to a valid
7 prescription or order of a practitioner while acting in the course of his or her professional
8 practice, or except as otherwise authorized by this chapter.

9 (2) Any person who violates this subsection with respect to:

10 (i) A controlled substance classified in schedules I, II and III, IV, and V, except the
11 substance classified as marijuana, is guilty of a crime and upon conviction may be imprisoned for
12 not more than three (3) years or fined not less than five hundred dollars (\$500) nor more than five
13 thousand dollars (\$5,000), or both;

14 (ii) More than one ounce (1 oz.) of a controlled substance classified in schedule I as
15 marijuana is guilty of a misdemeanor except for those persons subject to subdivision 21-28-
16 4.01(a)(1) and upon conviction may be imprisoned for not more than one year or fined not less
17 than two hundred dollars (\$200) nor more than five hundred dollars (\$500), or both.

18 (iii) Notwithstanding any public, special or general law to the contrary, the possession of
19 one ounce (1 oz.) or less of marijuana by a person who is eighteen (18) years of age or older and
20 who is not exempted from penalties pursuant to chapter 21-28.6 shall constitute a civil offense,
21 rendering the offender liable to a civil penalty in the amount of one hundred fifty dollars (\$150)
22 and forfeiture of the marijuana, but not to any other form of criminal or civil punishment or
23 disqualification. Notwithstanding any public, special or general law to the contrary, this civil
24 penalty of one hundred fifty dollars (\$150) and forfeiture of the marijuana shall apply if the
25 offense is the first (1st) or second (2nd) violation within the previous eighteen (18) months.

26 (iv) Notwithstanding any public, special or general law to the contrary, possession of one
27 ounce (1 oz.) or less of marijuana by a person who is under the age of eighteen (18) years and
28 who is not exempted from penalties pursuant to chapter 21-28.6 shall constitute a civil offense,
29 rendering the offender liable to a civil penalty in the amount of one hundred fifty dollars (\$150)
30 and forfeiture of the marijuana; provided the minor offender completes an approved drug
31 awareness program and community service as determined by the court. If the person under the
32 age of eighteen (18) years fails to complete an approved drug awareness program and community
33 service within one year of the offense, the penalty shall be a three hundred dollar (\$300) civil fine
34 and forfeiture of the marijuana, except that if no drug awareness program or community service is

1 available, the penalty shall be a fine of one hundred fifty dollars (\$150) and forfeiture of the
2 marijuana. The parents or legal guardian of any offender under the age of eighteen (18) shall be
3 notified of the offense and the availability of a drug awareness and community service program.
4 The drug awareness program must be approved by the court, but shall, at a minimum, provide
5 four (4) hours of instruction or group discussion, and ten (10) hours of community service.
6 Notwithstanding any other public, special or general law to the contrary, this civil penalty shall
7 apply if the offense is the first (1st) or second (2nd) violation within the previous eighteen (18)
8 months.

9 (v) Notwithstanding any public, special, or general law to the contrary, a person not
10 exempted from penalties pursuant to chapter 21-28.6 found in possession of one ounce (1 oz.) or
11 less of marijuana is guilty of a misdemeanor and upon conviction may be imprisoned for not
12 more than thirty (30) days or fined not less than two hundred dollars (\$200) nor more than five
13 hundred dollars (\$500), or both, if that person has been previously adjudicated on a violation for
14 possession of less than one ounce (1 oz.) of marijuana under subparagraphs 21-28-4.01(c)(2)(iii)
15 or 21-28-4.01(c)(2)(iv) two (2) times in the eighteen (18) months prior to the third (3rd) offense.

16 (vi) Any unpaid civil fine issued under subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-
17 4.01(c)(2)(iv) shall double to three hundred dollars (\$300) if not paid within thirty (30) days of
18 the offense. The civil fine shall double again to six hundred dollars (\$600) if it has not been paid
19 within ninety (90) days.

20 (vii) No person may be arrested for a violation of subparagraphs 21-28-4.01(c)(2)(iii) or
21 21-28-4.01(c)(2)(iv) except as provided in this subparagraph. Any person in possession of an
22 identification card, license, or other form of identification issued by the state or any state, city or
23 town, or any college or university, who fails to produce the same upon request of a police officer
24 who informs the person that he or she has been found in possession of what appears to the officer
25 to be one ounce (1 oz.) or less of marijuana, or any person without any such forms of
26 identification that fails or refuses to truthfully provide his or her name, address, and date of birth
27 to a police officer who has informed such person that the officer intends to provide such
28 individual with a citation for possession of one ounce (1 oz.) or less of marijuana, may be
29 arrested.

30 (viii) No violation of subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv) shall be
31 considered a violation of parole or probation.

32 (ix) Any records collected by any state agency or tribunal that include personally
33 identifiable information about violations of subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-
34 4.01(c)(2)(iv) shall be sealed eighteen (18) months after the payment of said civil fine.

1 (3) Jurisdiction. - Any and all violations of subparagraphs 21-28-4.01(c)(2)(iii) and 21-
2 28-4.01(c)(2)(iv) shall be the exclusive jurisdiction of the Rhode Island traffic tribunal. All
3 money associated with the civil fine issued under subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-
4 4.01(c)(2)(iv) shall be payable to the Rhode Island traffic tribunal. Fifty percent (50%) of all fines
5 collected by the Rhode Island traffic tribunal from civil penalties issued pursuant to
6 subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv) shall be deposited into the Rhode
7 Island Substance Abuse Prevention Act Fund as set forth in chapter 16-21, administered by the
8 department of behavioral healthcare, developmental disabilities and hospitals on drug awareness
9 and treatment programs for youth ~~expended on drug awareness and treatment programs for youth.~~

10 (4) Additionally every person convicted or who pleads nolo contendere under paragraph
11 (2)(i) of this subsection or convicted or who pleads nolo contendere a second or subsequent time
12 under paragraph (2)(ii) of this subsection, who is not sentenced to a term of imprisonment to
13 serve for the offense, shall be required to:

14 (i) Perform, up to one hundred (100) hours of community service;

15 (ii) Attend and complete a drug counseling and education program as prescribed by the
16 director of the department of behavioral healthcare, developmental disabilities and hospitals
17 ~~mental health, retardation and hospitals~~ and pay the sum of four hundred dollars (\$400) to help
18 defray the costs of this program which shall be deposited as general revenues into the Rhode
19 Island Substance Abuse Prevention Act Fund as set forth in chapter 16-21. Failure to attend may
20 result after hearing by the court in jail sentence up to one year;

21 (iii) The court shall not suspend any part or all of the imposition of the fee required by
22 this subsection, unless the court finds an inability to pay;

23 (iv) If the offense involves the use of any automobile to transport the substance or the
24 substance is found within an automobile, then a person convicted or who pleads nolo contendere
25 under paragraphs (2)(i) and (ii) of this subsection shall be subject to a loss of license for a period
26 of six (6) months for a first offense and one year for each offense after this.

27 (5) All fees assessed and collected pursuant to paragraph (3)(ii) of this subsection shall
28 be deposited as general revenues into the Rhode Island Substance Abuse Prevention Act Fund as
29 set forth in chapter 16-21 and shall be collected from the person convicted or who pleads nolo
30 contendere before any other fines authorized by this chapter.

31 (d) It shall be unlawful for any person to manufacture, distribute, or possess with intent
32 to manufacture or distribute, an imitation controlled substance. Any person who violates this
33 subsection is guilty of a crime, and upon conviction shall be subject to the same term of
34 imprisonment and/or fine as provided by this chapter for the manufacture or distribution of the

1 controlled substance which the particular imitation controlled substance forming the basis of the
2 prosecution was designed to resemble and/or represented to be; but in no case shall the
3 imprisonment be for more than five (5) years nor the fine for more than twenty thousand dollars
4 (\$20,000).

5 (e) It shall be unlawful for a practitioner to prescribe, order, distribute, supply, or sell an
6 anabolic steroid or human growth hormone for: (1) enhancing performance in an exercise, sport,
7 or game, or (2) hormonal manipulation intended to increase muscle mass, strength, or weight
8 without a medical necessity. Any person who violates this subsection is guilty of a misdemeanor
9 and upon conviction may be imprisoned for not more than six (6) months or a fine of not more
10 than one thousand dollars (\$1,000), or both.

11 SECTION 2. Sections 16-21.2-4, 16-21.2-5, 16-21.2-6, 16-21.2-8 and 16-21.2-9 of the
12 General Laws in Chapter 16-21.2 entitled "The Rhode Island Substance Abuse Prevention Act"
13 are hereby amended to read as follows:

14 **16-21.2-4. Substance abuse prevention program.** -- (a) The department of ~~mental~~
15 ~~health, retardation, and hospitals~~ behavioral healthcare, developmental disabilities and hospitals
16 shall be charged with the administration of this chapter and shall provide grants to assist in the
17 planning, establishment, and operation of substance abuse prevention programs. Grants under this
18 section shall be made to municipal governments or their designated agents according to the
19 following guidelines:

20 (1) The maximum grant shall be one hundred twenty-five thousand dollars (\$125,000);
21 provided, however, in the event that available funding exceeds \$1.6 million in a fiscal year, those
22 surplus funds are to be divided proportionately among the cities and towns on a per capita basis
23 but in no event shall the city of Providence exceed a maximum grant cap of \$175,000.00.

24 (2) In order to obtain a grant, the municipality or its designated agent must in the first
25 year:

26 (i) Demonstrate the municipality's need for a comprehensive substance abuse program in
27 the areas of prevention and education.

28 (ii) Demonstrate that the municipality has established by appropriate legislative or
29 executive action, a substance abuse prevention council which shall assist in assessing the needs
30 and resources of the community, developing a three (3) year plan of action addressing the
31 identified needs, the operation and implementation of the overall substance abuse prevention
32 program; coordinating existing services such as law enforcement, prevention, treatment, and
33 education; consisting of representatives of the municipal government, representatives of the
34 school system, parents, and human service providers.

1 (iii) Demonstrate the municipality's ability to develop a plan of implementation of a
2 comprehensive three (3) year substance abuse prevention program based on the specific needs of
3 the community to include high risk populations of adolescents, children of substance abusers, and
4 primary education school aged children.

5 (iv) Agree to conduct a survey/questionnaire of the student population designed to
6 establish the extent of the use and abuse of drugs and alcohol in students throughout the local
7 community's school population.

8 (v) Demonstrate that at least twenty percent (20%) of the cost of the proposed program
9 will be contributed either in cash or in-kind by public or private resources within the
10 municipality.

11 (vi) Demonstrate that the funding issued to municipalities, pursuant to paragraphs 21-28-
12 4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv), is expended on counseling and education programs
13 approved by the department.

14 (b) The department of ~~mental health, retardation, and hospitals~~ behavioral healthcare,
15 developmental disabilities and hospitals shall adopt rules and regulations necessary and
16 appropriate to carry out the purposes of this section.

17 **16-21.2-5. Funding of substance abuse prevention program.** -- (a) Money to fund the
18 Rhode Island Substance Abuse Prevention Act shall be appropriated from: (1) state State general
19 revenues ~~and shall be raised by assessing an additional penalty of thirty dollars (\$30.00) for all~~
20 ~~speeding violations as set forth in section 31-43-5.1.;~~ (2) State general revenues collected by the
21 Rhode Island traffic tribunal for any and all violations of paragraphs and all offenses as set forth
22 in sections paragraphs 21-28-4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv); (3) The money shall be
23 deposited as general revenues. The department of ~~mental health, retardation, and hospitals~~
24 behavioral healthcare, developmental disabilities and hospitals may utilize up to ten percent
25 (10%) of the sums appropriated for the purpose of administering the substance abuse prevention
26 program.

27 (b) Grants made under this chapter shall not exceed money available in the substance
28 abuse prevention program.

29 **16-21.2-6. Timetable for grant applications and disbursement.** -- The department of
30 ~~mental health, retardation, and hospitals~~ behavioral healthcare, developmental disabilities and
31 hospitals shall establish guidelines and criteria for the acceptance of grant applications and the
32 disbursement of grants.

33 **16-21.2-8. The duties of the director of the department of mental health, retardation,**
34 **and hospitals** **The duties of the director of behavioral healthcare, developmental disabilities**

1 and hospitals. -- The director of the department of ~~mental health, retardation, and hospitals~~
2 behavioral healthcare, developmental disabilities and hospitals or his or her designated agent shall
3 make an annual report by September 1 of each year to the governor and the general assembly on
4 the administration of the program.

5 **16-21.2-9. Permanent legislative oversight commission on substance abuse**
6 **prevention.** -- There is established a permanent legislative oversight commission on substance
7 abuse prevention whose purpose it shall be to oversee the implementation and administration of
8 the Rhode Island Substance Abuse Prevention Act and to advise and make recommendations to
9 the general assembly as to the adequacy and efficiency of all statutes, rules, regulations,
10 guidelines, practices, and programs relating to substance abuse prevention. The commission shall
11 consist of twelve (12) members: five (5) members shall be appointed by the speaker of the house
12 of representatives from among the members of the house of representatives, not more than four
13 (4) of whom shall be from the same political party; three (3) members shall be appointed by the
14 president of the senate from among the members of the senate, not more than two (2) of whom
15 shall be from the same political party; and one member (ex officio) shall be the director of the
16 department of mental health, retardation, and hospitals and one member (ex officio) shall be the
17 director of the department of health or designee; and a Rhode Island Substance Abuse Prevention
18 Act task force member to be appointed by the chairperson of the commission; and a public
19 member appointed by the chairperson of the commission. The chairperson of the commission
20 shall be appointed by the speaker of the house of representatives. Members of the commission
21 shall serve without compensation, except that they shall be allowed their actual and necessary
22 expenses incurred in the performance of their duties under this section. The commission may
23 request and shall receive from any instrumentality of the state, including the division of substance
24 abuse of the department of ~~mental health, retardation, and hospitals~~ behavioral healthcare,
25 developmental disabilities and hospitals and from any municipality or any instrumentality of a
26 municipality, any information and assistance that it deems necessary for the proper execution of
27 its powers and duties under this section. The commission shall meet at least quarterly and shall
28 report at least annually to the general assembly on its findings and recommendations with respect
29 to:

- 30 (1) All existing substance abuse prevention programs;
- 31 (2) All rules, regulations, and guidelines promulgated pursuant to the Rhode Island
32 Substance Abuse Prevention Act;
- 33 (3) Administration of the Rhode Island Substance Abuse Prevention Act; and
- 34 (4) Any other matters relating to substance abuse prevention efforts in the state.

1 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO FOOD AND DRUGS - UNIFORMED CONTROLLED SUBSTANCE ACT

1 This act would mandate that fifty percent (50%) of all fines collected by the Rhode Island
2 traffic tribunal from civil penalties which have been issued pursuant to paragraphs 21-28-
3 4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv) shall be deposited into the Rhode Island Substance Abuse
4 Prevention Act Fund as set forth in chapter 16-21, administered by the Department of Behavioral
5 Healthcare, Developmental Disabilities and Hospitals on drug awareness and treatment programs
6 for youth.

7 This act would also make the Department of Behavioral Healthcare, Developmental
8 Disabilities and Hospitals responsible for the administration and operation of substance
9 prevention programs.

10 This act would take effect upon passage.

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