

Date of Hearing: August 16, 2023

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Chris Holden, Chair

SB 19 (Seyarto) – As Amended June 22, 2023

Policy Committee:	Health	Vote:	14 - 0
	Public Safety		8 - 0

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill establishes, upon appropriation by the Legislature, the Anti-Fentanyl Abuse Task Force (task force) to study fentanyl abuse in California and develop recommendations to strengthen efforts to prevent fentanyl abuse and death from fentanyl exposure.

Specifically, this bill:

- 1) Requires the Attorney General (AG) or their designee to chair the task force.
- 2) Requires the task force, to the extent feasible, to collect and organize data on the nature and extent of fentanyl abuse in California, evaluate approaches to increase public awareness of fentanyl abuse, examine models for protecting persons who use fentanyl or substances that may contain fentanyl, develop policy recommendations on the implementation of evidence-based practices to reduce fentanyl overdoses, evaluate progress towards addressing the fentanyl problem, among other activities.
- 3) Requires the task force be composed of representatives from specified state government, legislative, health, local government, law enforcement, justice-related, education and other organizations, and authorizes the respective appointing authority or agency participating in the task force to reimburse members for necessary expenses.
- 4) Requires the task force, beginning no later than March 1, 2024, to meet at least once every two months, and to report its findings and recommendations to the AG, the Governor, and the Legislature by July 1, 2025.

FISCAL EFFECT:

The Department of Justice (DOJ) estimates General Fund costs of \$2.57 million in fiscal year (FY) 2023-24, \$4.54 million in FY 2024-25, and \$2.44 million in FY 2025-26 to fund 18 new limited-term positions to conduct research; provide legal advice and assistance on Open Meeting-related matters; analyze existing statutes and recommendations to strengthen state and local efforts to prosecute individuals engaged in the illegal manufacture, sale, and trafficking of fentanyl; examine collaborative models for protecting victims of fentanyl abuse; measure and evaluate the progress of the state in preventing fentanyl abuse; protect and assist victims of fentanyl abuse; and evaluate approaches to increase public awareness of fentanyl abuse. The estimate also includes costs for consultants, legal experts and witnesses, travel, and printing.

COMMENTS:

1) **Purpose.** According to the author:

The potency and availability of illicit fentanyl is a threat to all Californians. Local agencies need the tools to keep our communities safe and to hold those responsible for poisoning our communities accountable for this catastrophe. This taskforce will identify the resources necessary to respond to and bring the scourge of fentanyl under control. Fentanyl is a new threat and unlike anything the state has seen before, our communities deserve a coordinated policy response with proven strategies which this taskforce will recommend.

2) **Duplication of Effort?** The state's 2022-23 budget included \$7.9 million in 2022-23 and \$6.7 million ongoing to fund the Fentanyl Enforcement Program within DOJ to tackle the fentanyl crisis. The State Opioid Task Force includes 25 positions within DOJ to support those efforts. The state also has within the Department of Public Health an Overdose Prevention Initiative, whose mission is to advance and amplify the department's unified response to reduce the harms from substance misuse and end the evolving drug overdose crisis through increased information sharing, policy development, and implementation. The state's 2023-24 budget allocates \$159 million over the next four years to expand the Naloxone Distribution Project; \$14 million over four years to increase local efforts in education, testing, recovery, and support services, and support innovative approaches to make fentanyl test strips and naloxone more widely available; and \$3.5 million for overdose medication for all middle, high, and adult school sites. This bill requires DOJ to provide staff and support for another task force, which could result in some duplication of effort.

3) **Related Legislation:** AB 33 (Bains) establishes the Fentanyl Addiction and Overdose Prevention Task Force. AB 33 is pending in the Senate Committee on Appropriations.

4) **Prior Legislation:**

- a) AB 2365 (Patterson), Chapter 783, Statutes of 2022, requires the California Health and Human Services Agency to, upon appropriation, establish a grant program to reduce fentanyl overdoses and use throughout the state by giving six one-time grants to increase local efforts in education, testing, recovery, and support services, as specified.
- b) AB 1673 (Seyarto), of the 2021-22 Legislative Session, was substantially similar to this bill and was held on this committee's suspense file.
- c) SB 1395 (Bates), of the 2019-20 Legislative Session, would have required the AG to establish and chair the Southern California Fentanyl Task Force, which would have developed information, made recommendations, and reported findings to the DOJ and to the Legislature regarding matters relating to the fentanyl crisis in Southern California communities. SB 1395 was held in the Senate Committee on Public Safety.