

**ATTACHMENT I**  
**SFY 2002/03 BUDGET TRAILER BILL (excerpt)**

AB 444 as amended June 29, 2002

SEC. 7. Article 5 (commencing with Section 11970.45) is added to Chapter 2 of Part 3 of Division 10.5 of the Health and Safety Code, to read:

**Article 5. Drug Court Partnership Act of 2002**

11970.45. (a) This article shall be known and may be cited as the Drug Court Partnership Act of 2002.

(b) (1) The Drug Court Partnership Program, as provided for in this article, shall be administered by the State Department of Alcohol and Drug Programs for the purpose of providing assistance to drug courts that accept only defendants who have been convicted of felonies and placed on formal probation, conditioned on their participation in the drug court program. The department and the Judicial Council shall design and implement this program through the Drug Court Systems Steering Committee as originally established by the department and the Judicial Council to implement the Drug Court Partnership Act of 1998 (Article 3 (commencing with Section 11970)).

- (1) This program shall award grants to grantees that received funding pursuant to the Drug Court Partnership Act of 1998 and successfully modify the existing multiagency plan to conform to this article. Grants shall be awarded in a manner that ensures that no grantee will receive funding in excess of prior annual grants under the Drug Court Partnership Act of 1998.
- (2) Grants referred to in the Drug Court Partnership Act of 1998 as "first-round" grants may be funded under this article until April 30, 2003. These grants may be supplemented with funds appropriated for that purpose from the General Fund and extended to June 30, 2003. Any extensions of the grant budget periods beyond either of those dates, as applicable, shall conform to this article.
- (3) Grants referred to in the Drug Court Partnership Act of 1998 as "second-round" grants may be funded under this article, effective July 1, 2002, in accordance with the existing multiagency plan. These grants may continue under their existing plan established under the Drug Court Partnership Act of 1998, until a revised plan is approved under this article.
- (4) Grantees who do not seek to revise their existing plan or whose revised plan is not approved under this article prior to September 30, 2002, shall no longer be funded under this article, effective October 31, 2002. Funds returned from discontinued grants shall be redistributed to the remaining grantees for the purpose of increasing the number of defendants participating in each drug court program.
- (5) Commencing July 1, 2003, both "first-round" and "second-round" grants funded through this article will be funded pursuant to this article on an annual grant cycle of July 1 through June 30.
- (6) (A) The department shall require grantees to submit a revised multiagency plan that is in conformance with the Drug Court Systems Steering Committee's recommended guidelines. Revised multiagency plans that are reviewed and approved by the department and recommended by the Drug Court Systems Steering Committee shall be funded for the 2002-03 fiscal year under this article. The department, without a renewal of the Drug Court Systems Steering Committee's original recommendation, may disburse future year appropriations to the grantees.
- (A) The multiagency plan shall identify the resources and strategies for providing an effective drug court program exclusively for convicted felons who meet the requirements of this article and the guidelines adopted thereunder, and shall set

forth the basis for determining eligibility for participation that will maximize savings to the state in avoided prison costs.

(B) The multiagency plan shall include, but not be limited to, all of the following components:

- (i) The method by which the drug court will ensure that the target population of felons will be identified and referred to the drug court.
- (ii) The elements of the treatment and supervision programs.
- (iii) The method by which the grantee will provide the specific outcomes and data required by the department to determine state prison savings or cost avoidance.
- (iv) Assurance that funding received pursuant to this article will be used to supplement, rather than supplant, existing programs.

(c) Grant funds shall be used only for programs that are identified in the approved multiagency plan. Acceptable uses may include, but shall not be limited to, any of the following:

- (1) Drug court coordinators.
- (2) Training.
- (3) Drug Testing
- (4) Treatment.
- (5) Transportation.
- (6) Other costs related to substance abuse treatment.

(d) The department shall identify and design a data collection instrument to determine state prison cost savings and avoidance from this program.

(e) No grant shall be awarded unless the applicant makes available resources in an amount equal to at least 20 percent of the amount of the grant.

(f) Grant funds shall be transferred by the department on a reimbursement basis to grantees whose multiagency plans are approved. No reimbursement shall be made until and unless the drug court is in full and complete compliance with all the data reporting requirements of the department and the Judicial Council.

(g) If grant funds are withheld from grantees for failure to comply with the requirements of this article for a period of more than six months, the grantee's grant shall be terminated and the remaining funds of the terminated grant shall be redistributed to the remaining grantees, for the purpose of increasing the number of defendants participating in each drug court program.

(h) The department shall annually submit a report to the Legislature during budget hearings regarding the cost savings of the program in avoided state prison costs.

(i) It is the intent of the Legislature that this article be funded by an appropriation in the annual Budget Act.

(j) No more than 5 percent of the amount appropriated by the annual Budget Act shall be available to the department to administer the program established pursuant to this article.