

SENATE BILL 495

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51r2942
CF 51r2502

By: **Senator Ellis**

Introduced and read first time: January 23, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Opioid Restitution Fund – Authorized Uses**

3 FOR the purpose of altering the allowable uses of the Opioid Restitution Fund to provide
4 funds for the operating expenses and personnel costs for investigations, enforcement
5 actions, and other activities conducted by the Opioids Enforcement Unit within the
6 Office of the Attorney General that are related to the recovery of funds from
7 opioid-related judgments and settlements; and generally relating to the Opioid
8 Restitution Fund.

9 BY repealing and reenacting, without amendments,
10 Article – State Finance and Procurement
11 Section 7–331(a) through (e)
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2024 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – State Finance and Procurement
16 Section 7–331(f)
17 Annotated Code of Maryland
18 (2021 Replacement Volume and 2024 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – State Finance and Procurement**

22 7–331.

23 (a) In this section, “Fund” means the Opioid Restitution Fund.

24 (b) There is an Opioid Restitution Fund.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) The purpose of the Fund is to retain the amount of settlement revenues
2 deposited to the Fund in accordance with subsection (e)(1) of this section.

3 (d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of
4 this subtitle.

5 (2) The State Treasurer shall hold the Fund separately, and the
6 Comptroller shall account for the Fund.

7 (e) The Fund consists of:

8 (1) all revenues received by the State from any source resulting, directly or
9 indirectly, from any judgment against, or settlement with, opioid manufacturers, opioid
10 research associations, or any other person in the opioid industry relating to any claims
11 made or prosecuted by the State to recover damages for violations of State law; and

12 (2) the interest earnings of the Fund.

13 (f) The Fund may be used only to provide funds for:

14 (1) programs, services, supports, and resources for evidence-based
15 substance use disorder prevention, treatment, recovery, or harm reduction that have the
16 purpose of:

17 (i) improving access to medications proven to prevent or reverse an
18 overdose, including by supporting the initiative to co-locate naloxone with automated
19 external defibrillators placed in public buildings under § 13–518 of the Education Article;

20 (ii) supporting peer support specialists and screening, brief
21 intervention, and referral to treatment services for hospitals, correctional facilities, and
22 other high-risk populations;

23 (iii) increasing access to medications that support recovery from
24 substance use disorders;

25 (iv) expanding the Heroin Coordinator Program, including for
26 administrative expenses;

27 (v) expanding access to crisis beds and residential treatment
28 services for adults and minors;

29 (vi) expanding and establishing safe stations, mobile crisis response
30 systems, and crisis stabilization centers;

31 (vii) supporting the behavioral health crisis hotline;

1 (viii) organizing primary and secondary school education campaigns
2 to prevent opioid use, including for administrative expenses;

3 (ix) enforcing the laws regarding opioid prescriptions and sales,
4 including for administrative expenses;

5 (x) research regarding and training for substance use treatment and
6 overdose prevention, including for administrative expenses; and

7 (xi) supporting and expanding other evidence-based interventions
8 for overdose prevention and substance use treatment;

9 (2) supporting community-based nonprofit recovery organizations that
10 provide nonclinical substance use recovery support services in the State;

11 (3) evidence-informed substance use disorder prevention, treatment
12 recovery, or harm reduction pilot programs or demonstration studies that are not
13 evidence-based if the Opioid Restitution Fund Advisory Council, established under §
14 7.5-902 of the Health – General Article:

15 (i) determines that emerging evidence supports the distribution of
16 money for the pilot program or that there is a reasonable basis for funding the
17 demonstration study with the expectation of creating an evidence-based program; and

18 (ii) approves the use of money for the pilot program or demonstration
19 study; [and]

20 (4) evaluations of the effectiveness and outcomes reporting for substance
21 use disorder abatement infrastructure, programs, services, supports, and resources for
22 which money from the Fund was used, including evaluations of the impact on access to
23 harm reduction services or treatment for substance use disorders and the reduction in
24 drug-related mortality; AND

25 **(5) OPERATING EXPENSES AND PERSONNEL COSTS FOR**
26 **INVESTIGATIONS, ENFORCEMENT ACTIONS, AND OTHER ACTIVITIES CONDUCTED BY**
27 **THE OPIOIDS ENFORCEMENT UNIT WITHIN THE OFFICE OF THE ATTORNEY**
28 **GENERAL THAT ARE RELATED TO THE RECOVERY OF FUNDS FROM**
29 **OPIOID-RELATED JUDGMENTS OR SETTLEMENTS.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
31 1, 2025.