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February 12, 2025

To: The Honorable Joseline A. Pena-Melnyk
Chair, Health and Government Operations Committee

From: Karen Valentine, Assistant Attorney General
Consumer Protection Division

Subject: House Bill 728 - Opioid Restitution Fund – Authorized Uses (SUPPORT)

The Consumer Protection Division of the Office of the Attorney General (the “Division”) supports **House Bill 728** – Opioid Restitution Fund – Authorized Uses, sponsored by Delegate Rosenberg. **House Bill 728** amends § 7-331 of the State Finance and Procurement Article to specifically authorize the use of Opioid Restitution Fund (“ORF”) revenue to cover the operating expenses and personnel costs of the Opioids Enforcement Unit of the Office of the Attorney General (the “Unit”).

The Unit is the State’s primary enforcement authority policing the sale and marketing of prescription opioids and related controlled substances. The Unit pursues investigations and brings enforcement actions to discourage and stop illegal conduct as well as recover funds for remediation of the opioids crisis. The Unit has recovered commitments of \$680 million in recoveries for the ORF and more is expected. The Unit’s enforcement costs have been comparatively small.

Although § 7-331 authorizes the use of ORF moneys for law enforcement purposes and administrative cost, which would include the Unit’s work, **House Bill 728** provides a more tailored authorization for the funding of the specific activities of the Unit. The dedicated source of funding tied to the revenue generated by the Unit enables the General Assembly to make responsible decisions to support the Unit’s activities based on the benefits that the Unit produces, enabling the pursuit of justice against additional targets more quickly through investigations and enforcement actions that may result in injunctive relief and in recoveries for the ORF.

Accordingly, the Division requests that the Health and Government Operations Committee give **House Bill 728** a favorable report.

cc: The Honorable Samuel I. Rosenberg
Members, Health and Government Operations Committee