

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2022, Legislative Day No. 13

Bill No. 50-22

Mr. Julian E. Jones, Jr., Chairman
By Request of County Executive

By the County Council, July 5, 2022

A BILL
ENTITLED

AN ACT concerning

Opioid Abatement Fund

FOR the purpose of establishing a non-lapsing Opioid Abatement Fund; providing for the purposes of the Fund; providing for the source of financing to the Fund; providing for joint administration of the Fund by the Directors of Health and Human Services and Budget and Finance; requiring the Director of Health and Human Services to provide the County Council with a certain annual report; and generally relating to the establishment of the Fund.

BY adding

Sections 10-18-101 through 10-18-105
Article 10 – Finance
Title 18 – Opioid Abatement Fund
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

4 ARTICLE 10 – FINANCE

5 Title 18 – OPIOID ABATEMENT FUND

6
7 § 10-18-101.

8 THERE IS A NON-LAPSING OPIOID ABATEMENT FUND.

9
10 § 10-18-102.

11 (A) IN THIS TITLE, THE FOLLOWING WORDS HAVE THE MEANINGS
12 INDICATED.

13 (B) “OPIOID REMEDIATION” MEANS CARE, TREATMENT, AND OTHER
14 PROGRAMS AND EXPENDITURES, INCLUDING REASONABLE RELATED
15 ADMINISTRATIVE EXPENSES, AND REIMBURSEMENT FOR PAST SUCH PROGRAMS
16 EXCEPT WHERE OTHERWISE RESTRICTED PURSUANT TO THE SETTLEMENT
17 AGREEMENT OR STATE LAW, DESIGNED TO:

18 (1) ADDRESS THE MISUSE AND ABUSE OF OPIOID PRODUCTS;
19 (2) TREAT OR MITIGATE OPIOID USE OR RELATED DISORDERS; OR
20 (3) MITIGATE OTHER ALLEGED EFFECTS OF, INCLUDING ON THOSE
21 INJURED AS A RESULT OF, THE OPIOID EPIDEMIC.

22 (C) “SETTLEMENT AGREEMENT” MEANS THE DISTRIBUTOR SETTLEMENT
23 AGREEMENT AND JANSSEN SETTLEMENT AGREEMENT DATED AS OF JULY 21,

2021 IN THE MATTER OF NATIONAL PRESCRIPTION OPIATE LITIGATION FILED IN
THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF OHIO, EASTERN
DIVISION, CASE NUMBER 1:17-MD-2804, AND THE STATE SUBDIVISION
AGREEMENT ENTERED THEREUNDER.

§ 10-18-103.

(A) THE PURPOSE OF THE FUND IS TO PROMOTE THE PUBLIC HEALTH,
SAFETY, AND WELFARE OF COUNTY RESIDENTS AND COMMUNITIES BY
PROVIDING FOR THE CARE, TREATMENT, AND OTHER PROGRAMS DESIGNED TO:

(1) ADDRESS THE MISUSE AND ABUSE OF OPIOID PRODUCTS;
(2) TREAT OR MITIGATE OPIOID USE OR RELATED DISORDERS; OR
(3) MITIGATE OTHER ALLEGED EFFECTS, INCLUDING ON THOSE
INJURED AS A RESULT, OF THE OPIOID EPIDEMIC.

(B) THE FUND MAY BE USED TO PARTICIPATE WITH OTHER GOVERNMENT
AGENCIES OR PRIVATE SECTOR INSTITUTIONS TO LEVERAGE FUNDING FOR
SPECIAL PROJECTS.

(C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, MONIES
PROVIDED UNDER § 10-18-104(A)(1) OF THIS TITLE SHALL BE USED AND
MAINTAINED ACCORDING TO THE SETTLEMENT AGREEMENT.

§ 10-18-104.

(A) THE FUND MAY BE FINANCED FROM:

(1) DISTRIBUTIONS MADE TO THE COUNTY PURSUANT TO THE

1 SETTLEMENT AGREEMENT; AND

2 (2) ANY OTHER FUNDS DESIGNATED AND PROVIDED BY THE
3 COUNTY.

4 (B) MONIES PROVIDED TO THE FUND UNDER SUBSECTION (A) OF THIS
5 SECTION SHALL BE TREATED AS A GRANT TO THE FUND.

6 (C) THE FUND SHALL CONTINUE FROM YEAR TO YEAR.

7 (D) THE FUND SHALL BE CHARGED FOR THE REASONABLE EXPENSES OF
8 ADMINISTERING THE PROVISIONS OF THIS TITLE.

9
10 § 10-18-105.

11 (A) THE DIRECTOR OF HEALTH AND HUMAN SERVICES AND THE DIRECTOR
12 OF BUDGET AND FINANCE SHALL ADMINISTER THE FUND ACCORDING TO
13 ACCEPTED PRINCIPLES OF SOUND ACCOUNTING AND FISCAL MANAGEMENT
14 AND SHALL MAINTAIN RECORDS IN ACCORDANCE WITH GENERALLY ACCEPTED
15 ACCOUNTING PRINCIPLES AND IN CONFORMITY WITH THE REQUIREMENTS OF
16 THE SETTLEMENT AGREEMENT.

17 (B) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE DIRECTOR OF
18 HEALTH AND HUMAN SERVICES OR THE DIRECTOR'S DESIGNEE SHALL SUBMIT
19 TO THE COUNTY COUNCIL AN ANNUAL REPORT OUTLINING FOR THAT YEAR THE
20 DISTRIBUTIONS TO THE COUNTY UNDER THE SETTLEMENT AGREEMENT AND
21 ANY OTHER FUNDING DESIGNATED AND PROVIDED BY THE COUNTY UNDER THIS
22 TITLE, AND AN ACCOUNTING OF HOW THE FUNDS HAVE BEEN ALLOCATED AND
23 SPENT DURING THAT YEAR.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
the affirmative vote of five members of the County Council, shall take effect on August 1, 2022.



LEGISLATION DETAIL

LEGISLATION

DISPOSITION

ENACTED

EFFECTIVE

AMENDMENTS

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

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