

**ASSEMBLY BILL**

**No. 1744**

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**Introduced by Assembly Member McCarty**

January 3, 2018

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An act to amend Sections 8421 and 8482.3 of, and to add Sections 8429, 8484.66, and 8484.76 to, the Education Code, and to amend Section 34019 of the Revenue and Taxation Code, relating to after school programs.

LEGISLATIVE COUNSEL’S DIGEST

AB 1744, as introduced, McCarty. After school programs: substance use prevention: funding: cannabis revenue.

Existing law establishes the After School Education and Safety Program under which participating public schools receive grants to operate before and after school programs serving pupils in kindergarten or any of grades 1 to 9, inclusive. The After School Education and Safety Program requires each program component to consist of an education and literacy element and an educational enrichment element, as specified.

This bill would specifically authorize for inclusion within the education enrichment element pupil assistance to prevent and reduce substance use and improve school retention and performance.

Existing law establishes the 21st Century Community Learning Centers Program and the 21st Century High School After School Safety and Enrichment for Teens Program, which provide for the allocation of grant funds by the State Department of Education for before or after school programs operating in accordance with specified program requirements. Existing law requires those programs to include an enrichment element.

This bill would specifically authorize for inclusion within the enrichment element pupil assistance to prevent and reduce substance use and improve school retention and performance.

The Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), an initiative statute approved by the voters at the November 8, 2016, statewide general election as Proposition 64, among other things, requires the Controller, by July 15 of each fiscal year beginning in the 2018–19 fiscal year, to disburse 60% of the funds deposited in the California Cannabis Tax Fund during the prior fiscal year into the Youth Education, Prevention, Early Intervention and Treatment Account, to be disbursed by the Controller to the State Department of Health Care Services for programs for youth that are designed to educate about and to prevent substance use disorders and to prevent harm from substance use.

This bill would state that the Legislature encourages schools that establish a program pursuant to the After School Education and Safety Program, the 21st Century Community Learning Centers Program, or the 21st Century High School After School Safety and Enrichment for Teens Program that is designed to educate about and prevent substance use disorders or to prevent harm from substance abuse to apply to receive funding from the Youth Education, Prevention, Early Intervention and Treatment Account established pursuant to AUMA. The bill would also amend AUMA to specify that the State Department of Health Care Services, in determining which programs to be funded, may consider selecting, among other programs, programs established pursuant to the 21st Century High School After School Safety and Enrichment for Teens Program, the After School Education and Safety Program, and the 21st Century Community Learning Centers Program.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The After School Education and Safety Program (Article
- 4 22.5 (commencing with Section 8482) of Chapter 2 of Part 6 of
- 5 Division 1 of Title 1 of the Education Code), the 21st Century
- 6 Community Learning Centers Program (Article 22.6 (commencing
- 7 with Section 8484.7) of Chapter 2 of Part 6 of Division 1 of Title

1 1 of the Education Code), and the 21st Century High School After  
2 School Safety and Enrichment for Teens Program (Article 19  
3 (commencing with Section 8420) of Chapter 2 of Part 6 of Division  
4 1 of Title 1 of the Education Code) provide after school programs  
5 to low-income public school pupils in order to maximize their  
6 retention in school, reduce dropout rates, improve academic  
7 performance, reduce substance use and abuse, and expand  
8 educational enrichment opportunities.

9 (b) Personal, family, and cultural dynamics often interfere with  
10 a pupil’s ability to achieve academically. These dynamics can  
11 include exposure to substance abuse in the home and the  
12 community.

13 (c) Absent appropriate intervention, a pupil who experiences  
14 substance abuse challenges in the home or the community is at  
15 increased risk of his or her own substance abuse.

16 (d) Youth who are unsupervised after school and during the  
17 summer are at greater risk of substance abuse.

18 (e) After school programs have been shown to reduce substance  
19 abuse, including through the development of protective or  
20 resiliency factors such as school connectedness, self-control,  
21 self-confidence, and quality peer relationships.

22 (f) Because the After School Education and Safety Program,  
23 the 21st Century Community Learning Centers Program, and the  
24 21st Century High School After School Safety and Enrichment  
25 for Teens Program augment the regular schoolday and keep youth  
26 supervised during a time when they are at risk of substance abuse,  
27 these programs are uniquely positioned to provide alternatives to  
28 substance abuse and provide education and assistance to pupils  
29 about substance abuse, how it can affect their academic  
30 performance, and how to avoid substance abuse.

31 (g) In approving Proposition 64 at the November 8, 2016,  
32 statewide general election, the voters of California identified  
33 substance abuse pupil assistance programs in schools as a high  
34 priority for the allocation of tax revenue from the sale and  
35 cultivation of cannabis and cannabis products.

36 (h) The After School Education and Safety Program, the 21st  
37 Century Community Learning Centers Program, and the 21st  
38 Century High School After School Safety and Enrichment for  
39 Teens Program represent ideal conduits for Proposition 64 tax  
40 revenues to realize the goals of preventing and reducing substance

1 abuse among pupils and improving school retention and  
2 performance.

3 SEC. 2. Section 8421 of the Education Code is amended to  
4 read:

5 8421. There is hereby established the 21st Century High School  
6 After School Safety and Enrichment for Teens program. The  
7 purpose of the program is to create incentives for establishing  
8 locally driven after school enrichment programs that partner  
9 schools and communities to provide academic support and safe,  
10 constructive alternatives for high school pupils in the hours after  
11 the regular schoolday, and that support college and career readiness.

12 (a) High school after school programs shall serve pupils in  
13 grades 9 to 12, inclusive.

14 (b) A high school after school program established pursuant to  
15 this article shall consist of the following two elements:

16 (1) (A) An academic assistance element that shall include, but  
17 need not be limited to, at least one of the following: tutoring, career  
18 exploration, homework assistance, or college preparation, including  
19 information about the Cal Grant Program established pursuant to  
20 Chapter 1.7 (commencing with Section 69430) of Part 42 of  
21 Division 5 of Title 3. The assistance shall be coordinated with the  
22 regular academic programs of the pupils.

23 (B) For purposes of this article, “career exploration” means  
24 activities that help pupils develop the knowledge and skills that  
25 are relevant to their career interests and reinforce academic content.

26 (2) An enrichment element that may include, but need not be  
27 limited to, community service, career and technical education, job  
28 readiness, opportunities for mentoring and tutoring younger pupils,  
29 service learning, arts, computer and technology training, physical  
30 fitness, ~~and recreation activities.~~ *recreation activities, and pupil*  
31 *assistance to prevent and reduce substance use and improve school*  
32 *retention and performance.*

33 (c) A program shall operate for a minimum of 15 hours per  
34 week.

35 (d) An entity may operate programs on one or multiple sites. If  
36 an entity plans to operate programs at multiple sites, only one  
37 application is required.

38 (e) A program may operate on a schoolsite or on another site  
39 approved by the department during the grant application process.

1 A program located off school grounds shall not be approved unless  
2 both of the following criteria are met:

3 (1) Safe transportation is available to transport participating  
4 pupils if necessary.

5 (2) The program is at least as available and accessible as similar  
6 programs conducted on schoolsites.

7 (f) Applicants for grants pursuant to this article shall ensure that  
8 all of the following requirements are fulfilled, if applicable:

9 (1) The application includes a description of the activities that  
10 will be available for pupils and lists the program hours.

11 (2) The application includes an estimate of the following:

12 (A) The number of pupils expected to attend the program on a  
13 regular basis.

14 (B) The average hours of attendance per pupil.

15 (C) The percentage of pupils expected to attend the program  
16 less than three days a week, three days a week, and more than three  
17 days a week, for each quarter or semester during the grant period.

18 (3) The application documents the commitments of each partner  
19 to operate a program at a location or locations that are safe and  
20 accessible to participating pupils.

21 (4) The application certifies that pupils were involved in the  
22 design of the program and describes the extent of that involvement.

23 (5) The application identifies federal, state, and local programs  
24 that will be combined or coordinated with the high school after  
25 school program for the most effective use of public resources, and  
26 describes a plan for implementing the high school after school  
27 program beyond federal grant funding.

28 (6) The application has been approved by the school district, or  
29 the charter school governing body, and the principal of each  
30 participating school for each schoolsite or other site.

31 (7) The application includes a certification that the applicant  
32 has complied with the requirement in subdivision (b) of Section  
33 8422.

34 (8) The application includes a certification that each applicant  
35 or partner in the application agrees to do all of the following:

36 (A) Assume responsibility for the quality of the program.

37 (B) Follow all fiscal reporting and auditing standards required  
38 by the department.

39 (C) Provide the following information on participating pupils  
40 to the department:

1 (i) Schoolday attendance rates.

2 (ii) Program attendance.

3 (D) Acknowledge that program evaluations will be based upon  
4 the criteria in Section 8427.

5 (9) Certify that the applicant has complied with all federal  
6 requirements in preparing and submitting the application.

7 (g) The department shall not establish minimum attendance  
8 requirements for individual pupils.

9 (h) It is the intent of the Legislature that, to the extent possible,  
10 the department require applicants to submit the information  
11 required by this section in a short and concise manner.

12 SEC. 3. Section 8429 is added to the Education Code, to read:

13 8429. The Legislature encourages schools that establish a  
14 program pursuant to this article that are designed to educate about  
15 and prevent substance use disorders or to prevent harm from  
16 substance abuse to apply to receive funding from the Youth  
17 Education, Prevention, Early Intervention and Treatment Account  
18 established pursuant to paragraph (1) of subdivision (f) of Section  
19 34019 of the Revenue and Taxation Code in accordance with  
20 conditions and requirements as may be established by the State  
21 Department of Health Care Services.

22 SEC. 4. Section 8482.3 of the Education Code is amended to  
23 read:

24 8482.3. (a) The After School Education and Safety Program  
25 shall be established to serve pupils in kindergarten and grades 1  
26 to 9, inclusive, at participating public elementary, middle, junior  
27 high, and charter schools. The grades to be served by the program  
28 at participating schools may be determined by local needs.

29 (b) A program may operate a before school component of a  
30 program, an after school component, or both the before and after  
31 school components of a program, on one or multiple schoolsites.  
32 If a program operates at multiple schoolsites, only one application  
33 shall be required for its establishment.

34 (c) (1) Each component of a program established pursuant to  
35 this article shall consist of the following two elements:

36 (A) An educational and literacy element in which tutoring or  
37 homework assistance is provided in one or more of the following  
38 areas: language arts, mathematics, history and social science,  
39 computer training, or science.

1 (B) An educational enrichment element that may include, but  
2 need not be limited to, fine arts, career technical education,  
3 recreation, physical fitness, ~~and prevention activities.~~ *activities,*  
4 *and pupil assistance to prevent and reduce substance use and*  
5 *improve school retention and performance.*

6 (2) Notwithstanding any other provision of this article, the  
7 majority of the time spent by a pupil who is in kindergarten or any  
8 of grades 1 to 9, inclusive, and who is participating in a career  
9 technical education element of a program established pursuant to  
10 this article shall be at a site that complies with Section 8484.6.

11 (d) (1) Applicants shall agree that snacks made available  
12 through a program shall conform to the nutrition standards in  
13 Article 2.5 (commencing with Section 49430) of Chapter 9 of Part  
14 27 of Division 4 of Title 2.

15 (2) Applicants shall agree that meals made available through a  
16 program shall conform to the nutrition standards of the United  
17 States Department of Agriculture's at-risk afterschool meal  
18 component of the Child and Adult Care Food Program (42 U.S.C.  
19 Sec. 1766).

20 (e) Applicants for programs established pursuant to this article  
21 may include any of the following:

22 (1) A local educational agency, including, but not limited to, a  
23 charter school, the California School for the Deaf (northern  
24 California), the California School for the Deaf (southern  
25 California), and the California School for the Blind.

26 (2) A city, county, or nonprofit organization in partnership with,  
27 and with the approval of, a local educational agency or agencies.

28 (f) Applicants for grants pursuant to this article shall ensure that  
29 each of the following requirements is fulfilled, if applicable:

30 (1) The application documents the commitments of each partner  
31 to operate a program on that site or sites.

32 (2) The application has been approved by the school district, or  
33 the charter school governing body, and the principal of each  
34 participating school for each schoolsite or other site.

35 (3) Each partner in the application agrees to share responsibility  
36 for the quality of the program.

37 (4) The application designates the public agency or local  
38 educational agency partner to act as the fiscal agent. The fiscal  
39 agent may be changed upon approval by the department if the new  
40 fiscal agent is a local educational agency or public agency partner.

1 For purposes of this section, “public agency” means only a county  
 2 board of supervisors or, if the city is incorporated or has a charter,  
 3 a city council.

4 (5) Applicants agree to follow all fiscal reporting and auditing  
 5 standards required by the department.

6 (6) Applicants agree to incorporate into the program both of the  
 7 elements required pursuant to subdivision (c).

8 (7) Applicants agree to provide information to the department  
 9 for the purpose of program evaluation pursuant to Section 8483.55.

10 (8) Applicants shall certify that program evaluations will be  
 11 based upon Section 8484 and upon any requirements recommended  
 12 by the Advisory Committee on Before and After School Programs  
 13 and adopted by the state board, in compliance with subdivision  
 14 (g) of Section 8482.4.

15 (9) The application states the targeted number of pupils to be  
 16 served by the program.

17 (10) Applicants agree to provide the following information on  
 18 participating pupils to the department:

19 (A) Schoolday attendance rates.

20 (B) Program attendance.

21 (g) (1) Grantees shall review their after school program plans  
 22 every three years, including, but not limited to, all of the following:

23 (A) Program goals. A grantee may specify any new program  
 24 goals that will apply to the following three years during the grant  
 25 renewal process.

26 (B) Program content, including the elements identified in  
 27 subdivision (c).

28 (C) Outcome measures selected from those identified in  
 29 subdivision (a) of Section 8484 that the grantee will use for the  
 30 next three years.

31 (D) Any other information requested by the department.

32 (E) If the program goals or outcome measures change as a result  
 33 of this review, the grantee shall notify the department in a manner  
 34 prescribed by the department.

35 (F) The grantee shall maintain documentation of the after school  
 36 program plan for a minimum of five years.

37 (2) The department shall monitor this review as part of its onsite  
 38 monitoring process.

39 SEC. 5. Section 8484.66 is added to the Education Code, to  
 40 read:



1 8484.66. The Legislature encourages schools that establish a  
2 program pursuant to this article with an educational enrichment  
3 element that is designed to educate about and prevent substance  
4 use disorders and to prevent harm from substance abuse to apply  
5 to receive funding from the Youth Education, Prevention, Early  
6 Intervention and Treatment Account established pursuant to  
7 paragraph (1) of subdivision (f) of Section 34019 of the Revenue  
8 and Taxation Code in accordance with conditions and requirements  
9 as may be established by the State Department of Health Care  
10 Services.

11 SEC. 6. Section 8484.76 is added to the Education Code, to  
12 read:

13 8484.76. The Legislature encourages schools that establish a  
14 program pursuant to this article with an educational enrichment  
15 element that is designed to educate about and prevent substance  
16 use disorders and to prevent harm from substance abuse to apply  
17 to receive funding from the Youth Education, Prevention, Early  
18 Intervention and Treatment Account established pursuant to  
19 paragraph (1) of subdivision (f) of Section 34019 of the Revenue  
20 and Taxation Code in accordance with conditions and requirements  
21 as may be established by the State Department of Health Care  
22 Services.

23 SEC. 7. Section 34019 of the Revenue and Taxation Code is  
24 amended to read:

25 34019. (a) Beginning with the 2017–18 fiscal year, the  
26 Department of Finance shall estimate revenues to be received  
27 pursuant to Sections 34011 and 34012 and provide those estimates  
28 to the Controller no later than June 15 of each year. The Controller  
29 shall use these estimates when disbursing funds pursuant to this  
30 section. Before any funds are disbursed pursuant to subdivisions  
31 (b), (c), (d), and (e) of this section, the Controller shall disburse  
32 from the Tax Fund to the appropriate account, without regard to  
33 fiscal year, the following:

34 (1) Reasonable costs incurred by the board for administering  
35 and collecting the taxes imposed by this part; provided, however,  
36 such costs shall not exceed 4 percent of tax revenues received.

37 (2) Reasonable costs incurred by the bureau, the Department of  
38 Consumer Affairs, the Department of Food and Agriculture, and  
39 the State Department of Public Health for implementing,  
40 administering, and enforcing Division 10 (commencing with

1 Section 26000) of the Business and Professions Code to the extent  
2 those costs are not reimbursed pursuant to Section 26180 of the  
3 Business and Professions Code. This paragraph shall remain  
4 operative through the 2022–23 fiscal year.

5 (3) Reasonable costs incurred by the Department of Fish and  
6 Wildlife, the State Water Resources Control Board, and the  
7 Department of Pesticide Regulation for carrying out their respective  
8 duties under Division 10 (commencing with Section 26000) of the  
9 Business and Professions Code to the extent those costs are not  
10 otherwise reimbursed.

11 (4) Reasonable costs incurred by the Controller for performing  
12 duties imposed by the Control, Regulate and Tax Adult Use of  
13 Marijuana Act, including the audit required by Section 34020.

14 (5) Reasonable costs incurred by the Department of Finance for  
15 conducting the performance audit pursuant to Section 26191 of  
16 the Business and Professions Code.

17 (6) Reasonable costs incurred by the Legislative Analyst’s Office  
18 for performing duties imposed by Section 34017.

19 (7) Sufficient funds to reimburse the Division of Labor  
20 Standards Enforcement and the Division of Occupational Safety  
21 and Health within the Department of Industrial Relations and the  
22 Employment Development Department for the costs of applying  
23 and enforcing state labor laws to licensees under Division 10  
24 (commencing with Section 26000) of the Business and Professions  
25 Code.

26 (b) The Controller shall next disburse the sum of ten million  
27 dollars (\$10,000,000) to a public university or universities in  
28 California annually beginning with the 2018–19 fiscal year until  
29 the 2028–29 fiscal year to research and evaluate the implementation  
30 and effect of the Control, Regulate and Tax Adult Use of Marijuana  
31 Act, and shall, if appropriate, make recommendations to the  
32 Legislature and Governor regarding possible amendments to the  
33 Control, Regulate and Tax Adult Use of Marijuana Act. The  
34 recipients of these funds shall publish reports on their findings at  
35 a minimum of every two years and shall make the reports available  
36 to the public. The bureau shall select the universities to be funded.  
37 The research funded pursuant to this subdivision shall include but  
38 not necessarily be limited to:

1 (1) Impacts on public health, including health costs associated  
2 with cannabis use, as well as whether cannabis use is associated  
3 with an increase or decrease in use of alcohol or other drugs.

4 (2) The impact of treatment for maladaptive cannabis use and  
5 the effectiveness of different treatment programs.

6 (3) Public safety issues related to cannabis use, including  
7 studying the effectiveness of the packaging and labeling  
8 requirements and advertising and marketing restrictions contained  
9 in the act at preventing underage access to and use of cannabis and  
10 cannabis products, and studying the health-related effects among  
11 users of varying potency levels of cannabis and cannabis products.

12 (4) Cannabis use rates, maladaptive use rates for adults and  
13 youth, and diagnosis rates of cannabis-related substance use  
14 disorders.

15 (5) Cannabis market prices, illicit market prices, tax structures  
16 and rates, including an evaluation of how to best tax cannabis  
17 based on potency, and the structure and function of licensed  
18 cannabis businesses.

19 (6) Whether additional protections are needed to prevent  
20 unlawful monopolies or anti-competitive behavior from occurring  
21 in the adult-use cannabis industry and, if so, recommendations as  
22 to the most effective measures for preventing such behavior.

23 (7) The economic impacts in the private and public sectors,  
24 including, but not necessarily limited to, job creation, workplace  
25 safety, revenues, taxes generated for state and local budgets, and  
26 criminal justice impacts, including, but not necessarily limited to,  
27 impacts on law enforcement and public resources, short and long  
28 term consequences of involvement in the criminal justice system,  
29 and state and local government agency administrative costs and  
30 revenue.

31 (8) Whether the regulatory agencies tasked with implementing  
32 and enforcing the Control, Regulate and Tax Adult Use of  
33 Marijuana Act are doing so consistent with the purposes of the  
34 act, and whether different agencies might do so more effectively.

35 (9) Environmental issues related to cannabis production and the  
36 criminal prohibition of cannabis production.

37 (10) The geographic location, structure, and function of licensed  
38 cannabis businesses, and demographic data, including race,  
39 ethnicity, and gender, of license holders.

1 (11) The outcomes achieved by the changes in criminal penalties  
2 made under the Control, Regulate and Tax Adult Use of Marijuana  
3 Act for cannabis-related offenses, and the outcomes of the juvenile  
4 justice system, in particular, probation-based treatments and the  
5 frequency of up-charging illegal possession of cannabis or cannabis  
6 products to a more serious offense.

7 (c) The Controller shall next disburse the sum of three million  
8 dollars (\$3,000,000) annually to the Department of the California  
9 Highway Patrol beginning with the 2018–19 fiscal year until the  
10 2022–23 fiscal year to establish and adopt protocols to determine  
11 whether a driver is operating a vehicle while impaired, including  
12 impairment by the use of cannabis or cannabis products, and to  
13 establish and adopt protocols setting forth best practices to assist  
14 law enforcement agencies. The department may hire personnel to  
15 establish the protocols specified in this subdivision. In addition,  
16 the department may make grants to public and private research  
17 institutions for the purpose of developing technology for  
18 determining when a driver is operating a vehicle while impaired,  
19 including impairment by the use of cannabis or cannabis products.

20 (d) The Controller shall next disburse the sum of ten million  
21 dollars (\$10,000,000) beginning with the 2018–19 fiscal year and  
22 increasing ten million dollars (\$10,000,000) each fiscal year  
23 thereafter until the 2022–23 fiscal year, at which time the  
24 disbursement shall be fifty million dollars (\$50,000,000) each year  
25 thereafter, to the Governor’s Office of Business and Economic  
26 Development, in consultation with the Labor and Workforce  
27 Development Agency and the State Department of Social Services,  
28 to administer a community reinvestments grants program to local  
29 health departments and at least 50 percent to qualified  
30 community-based nonprofit organizations to support job placement,  
31 mental health treatment, substance use disorder treatment, system  
32 navigation services, legal services to address barriers to reentry,  
33 and linkages to medical care for communities disproportionately  
34 affected by past federal and state drug policies. The office shall  
35 solicit input from community-based job skills, job placement, and  
36 legal service providers with relevant expertise as to the  
37 administration of the grants program. In addition, the office shall  
38 periodically evaluate the programs it is funding to determine the  
39 effectiveness of the programs, shall not spend more than 4 percent  
40 for administrative costs related to implementation, evaluation, and

1 oversight of the programs, and shall award grants annually,  
2 beginning no later than January 1, 2020.

3 (e) The Controller shall next disburse the sum of two million  
4 dollars (\$2,000,000) annually to the University of California San  
5 Diego Center for Medicinal Cannabis Research to further the  
6 objectives of the center, including the enhanced understanding of  
7 the efficacy and adverse effects of cannabis as a pharmacological  
8 agent.

9 (f) By July 15 of each fiscal year beginning in the 2018–19  
10 fiscal year, the Controller shall, after disbursing funds pursuant to  
11 subdivisions (a), (b), (c), (d), and (e), disburse funds deposited in  
12 the Tax Fund during the prior fiscal year into sub-trust accounts,  
13 which are hereby created, as follows:

14 (1) Sixty percent shall be deposited in the Youth Education,  
15 Prevention, Early Intervention and Treatment Account, and  
16 disbursed by the Controller to the State Department of Health Care  
17 Services for programs for youth that are designed to educate about  
18 and to prevent substance use disorders and to prevent harm from  
19 substance use. The State Department of Health Care Services shall  
20 enter into interagency agreements with the State Department of  
21 Public Health and the State Department of Education to implement  
22 and administer these programs. The programs shall emphasize  
23 accurate education, effective prevention, early intervention, school  
24 retention, and timely treatment services for youth, their families  
25 and caregivers. *In determining which programs to be funded, the*  
26 *State Department of Health Care Services may consider selecting,*  
27 *among other programs, programs established pursuant to the 21st*  
28 *Century High School After School Safety and Enrichment for Teens*  
29 *Program (Article 19 (commencing with Section 8420) of Chapter*  
30 *2 of Part 6 of Division 1 of Title 1 of the Education Code), the*  
31 *After School Education and Safety Program (Article 22.5*  
32 *(commencing with Section 8482) of Chapter 2 of Part 6 of Division*  
33 *1 of Title 1 of the Education Code), and the 21st Century*  
34 *Community Learning Centers Program (Article 22.6 (commencing*  
35 *with Section 8484.7) of Chapter 2 of Part 6 of Division 1 of Title*  
36 *1 of the Education Code) that meet the requirements specified in*  
37 *this paragraph and as otherwise determined by the State*  
38 *Department of Health Care Services. The programs may include,*  
39 but are not limited to, the following components:

1 (A) Prevention and early intervention services including  
2 outreach, risk survey and education to youth, families, caregivers,  
3 schools, primary care health providers, behavioral health and  
4 substance use disorder service providers, community and  
5 faith-based organizations, fostercare providers, juvenile and family  
6 courts, and others to recognize and reduce risks related to substance  
7 use, and the early signs of problematic use and of substance use  
8 disorders.

9 (B) Grants to schools to develop and support student assistance  
10 programs, or other similar programs, designed to prevent and  
11 reduce substance use, and improve school retention and  
12 performance, by supporting students who are at risk of dropping  
13 out of school and promoting alternatives to suspension or expulsion  
14 that focus on school retention, remediation, and professional care.  
15 Schools with higher than average dropout rates should be  
16 prioritized for grants.

17 (C) Grants to programs for outreach, education, and treatment  
18 for homeless youth and out-of-school youth with substance use  
19 disorders.

20 (D) Access and linkage to care provided by county behavioral  
21 health programs for youth, and their families and caregivers, who  
22 have a substance use disorder or who are at risk for developing a  
23 substance use disorder.

24 (E) Youth-focused substance use disorder treatment programs  
25 that are culturally and gender competent, trauma-informed,  
26 evidence-based and provide a continuum of care that includes  
27 screening and assessment (substance use disorder as well as mental  
28 health), early intervention, active treatment, family involvement,  
29 case management, overdose prevention, prevention of  
30 communicable diseases related to substance use, relapse  
31 management for substance use and other cooccurring behavioral  
32 health disorders, vocational services, literacy services, parenting  
33 classes, family therapy and counseling services, medication-assisted  
34 treatments, psychiatric medication and psychotherapy. When  
35 indicated, referrals must be made to other providers.

36 (F) To the extent permitted by law and where indicated,  
37 interventions shall utilize a two-generation approach to addressing  
38 substance use disorders with the capacity to treat youth and adults  
39 together. This would include supporting the development of  
40 family-based interventions that address substance use disorders

1 and related problems within the context of families, including  
2 parents, foster parents, caregivers and all their children.

3 (G) Programs to assist individuals, as well as families and  
4 friends of drug using young people, to reduce the stigma associated  
5 with substance use including being diagnosed with a substance  
6 use disorder or seeking substance use disorder services. This  
7 includes peer-run outreach and education to reduce stigma,  
8 anti-stigma campaigns, and community recovery networks.

9 (H) Workforce training and wage structures that increase the  
10 hiring pool of behavioral health staff with substance use disorder  
11 prevention and treatment expertise. Provide ongoing education  
12 and coaching that increases substance use treatment providers'  
13 core competencies and trains providers on promising and  
14 evidenced-based practices.

15 (I) Construction of community-based youth treatment facilities.

16 (J) The departments may contract with each county behavioral  
17 health program for the provision of services.

18 (K) Funds shall be allocated to counties based on demonstrated  
19 need, including the number of youth in the county, the prevalence  
20 of substance use disorders among adults, and confirmed through  
21 statistical data, validated assessments, or submitted reports prepared  
22 by the applicable county to demonstrate and validate need.

23 (L) The departments shall periodically evaluate the programs  
24 they are funding to determine the effectiveness of the programs.

25 (M) The departments may use up to 4 percent of the moneys  
26 allocated to the Youth Education, Prevention, Early Intervention  
27 and Treatment Account for administrative costs related to  
28 implementation, evaluation, and oversight of the programs.

29 (N) If the Department of Finance ever determines that funding  
30 pursuant to cannabis taxation exceeds demand for youth prevention  
31 and treatment services in the state, the departments shall provide  
32 a plan to the Department of Finance to provide treatment services  
33 to adults as well as youth using these funds.

34 (O) The departments shall solicit input from volunteer health  
35 organizations, physicians who treat addiction, treatment  
36 researchers, family therapy and counseling providers, and  
37 professional education associations with relevant expertise as to  
38 the administration of any grants made pursuant to this paragraph.

1 (2) Twenty percent shall be deposited in the Environmental  
2 Restoration and Protection Account, and disbursed by the  
3 Controller as follows:

4 (A) To the Department of Fish and Wildlife and the Department  
5 of Parks and Recreation for the cleanup, remediation, and  
6 restoration of environmental damage in watersheds affected by  
7 cannabis cultivation and related activities including, but not limited  
8 to, damage that occurred prior to enactment of this part, and to  
9 support local partnerships for this purpose. The Department of  
10 Fish and Wildlife and the Department of Parks and Recreation  
11 may distribute a portion of the funds they receive from the  
12 Environmental Restoration and Protection Account through grants  
13 for purposes specified in this paragraph.

14 (B) To the Department of Fish and Wildlife and the Department  
15 of Parks and Recreation for the stewardship and operation of  
16 state-owned wildlife habitat areas and state park units in a manner  
17 that discourages and prevents the illegal cultivation, production,  
18 sale, and use of cannabis and cannabis products on public lands,  
19 and to facilitate the investigation, enforcement, and prosecution  
20 of illegal cultivation, production, sale, and use of cannabis or  
21 cannabis products on public lands.

22 (C) To the Department of Fish and Wildlife to assist in funding  
23 the watershed enforcement program and multiagency taskforce  
24 established pursuant to subdivisions (b) and (c) of Section 12029  
25 of the Fish and Game Code to facilitate the investigation,  
26 enforcement, and prosecution of these offenses and to ensure the  
27 reduction of adverse impacts of cannabis cultivation, production,  
28 sale, and use on fish and wildlife habitats throughout the state.

29 (D) For purposes of this paragraph, the Secretary of the Natural  
30 Resources Agency shall determine the allocation of revenues  
31 between the departments. During the first five years of  
32 implementation, first consideration should be given to funding  
33 purposes specified in subparagraph (A).

34 (E) Funds allocated pursuant to this paragraph shall be used to  
35 increase and enhance activities described in subparagraphs (A),  
36 (B), and (C), and not replace allocation of other funding for these  
37 purposes. Accordingly, annual General Fund appropriations to the  
38 Department of Fish and Wildlife and the Department of Parks and  
39 Recreation shall not be reduced below the levels provided in the  
40 Budget Act of 2014 (Chapter 25 of the Statutes of 2014).



1 (3) Twenty percent shall be deposited into the State and Local  
2 Government Law Enforcement Account and disbursed by the  
3 Controller as follows:

4 (A) To the Department of the California Highway Patrol for  
5 conducting training programs for detecting, testing and enforcing  
6 laws against driving under the influence of alcohol and other drugs,  
7 including driving under the influence of cannabis. The department  
8 may hire personnel to conduct the training programs specified in  
9 this subparagraph.

10 (B) To the Department of the California Highway Patrol to fund  
11 internal California Highway Patrol programs and grants to qualified  
12 nonprofit organizations and local governments for education,  
13 prevention, and enforcement of laws related to driving under the  
14 influence of alcohol and other drugs, including cannabis; programs  
15 that help enforce traffic laws, educate the public in traffic safety,  
16 provide varied and effective means of reducing fatalities, injuries,  
17 and economic losses from collisions; and for the purchase of  
18 equipment related to enforcement of laws related to driving under  
19 the influence of alcohol and other drugs, including cannabis.

20 (C) To the Board of State and Community Corrections for  
21 making grants to local governments to assist with law enforcement,  
22 fire protection, or other local programs addressing public health  
23 and safety associated with the implementation of the Control,  
24 Regulate and Tax Adult Use of Marijuana Act. The board shall  
25 not make any grants to local governments which have banned the  
26 cultivation, including personal cultivation under paragraph (3) of  
27 subdivision (b) of Section 11362.2 of the Health and Safety Code,  
28 or retail sale of cannabis or cannabis products pursuant to Section  
29 26200 of the Business and Professions Code or as otherwise  
30 provided by law.

31 (D) For purposes of this paragraph, the Department of Finance  
32 shall determine the allocation of revenues between the agencies;  
33 provided, however, beginning in the 2022–23 fiscal year the  
34 amount allocated pursuant to subparagraph (A) shall not be less  
35 than ten million dollars (\$10,000,000) annually and the amount  
36 allocated pursuant to subparagraph (B) shall not be less than forty  
37 million dollars (\$40,000,000) annually. In determining the amount  
38 to be allocated before the 2022–23 fiscal year pursuant to this  
39 paragraph, the Department of Finance shall give initial priority to  
40 subparagraph (A).

1 (g) Funds allocated pursuant to subdivision (f) shall be used to  
2 increase the funding of programs and purposes identified and shall  
3 not be used to replace allocation of other funding for these  
4 purposes.

5 (h) Effective July 1, 2028, the Legislature may amend this  
6 section by majority vote to further the purposes of the Control,  
7 Regulate and Tax Adult Use of Marijuana Act, including allocating  
8 funds to programs other than those specified in subdivisions (d)  
9 and (f). Any revisions pursuant to this subdivision shall not result  
10 in a reduction of funds to accounts established pursuant to  
11 subdivisions (d) and (f) in any subsequent year from the amount  
12 allocated to each account in the 2027–28 fiscal year. Prior to July  
13 1, 2028, the Legislature may not change the allocations to programs  
14 specified in subdivisions (d) and (f).