

1 **UNDERAGE DRINKING PREVENTION CAMPAIGN**

2 2012 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Lyle W. Hillyard**

5 House Sponsor: Jack R. Draxler

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Alcoholic Beverage Control Act to provide funding and
10 guidelines for an underage drinking prevention campaign.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ creates a restricted account within the General Fund;
- 15 ▶ requires deposits into the restricted account of a percentage of the total gross
16 revenue from the sale of liquor;
- 17 ▶ outlines the duties of the Utah Substance Abuse Advisory Council; and
- 18 ▶ outlines the duties of the department.

19 **Money Appropriated in this Bill:**

20 This bill appropriates:

- 21 ▶ to Department of Alcoholic Beverage Control - Parents Empowered, as an ongoing
22 appropriation:
 - 23 • from the Liquor Control Fund, (\$1,473,700)
- 24 ▶ to Department of Alcoholic Beverage Control - Parents Empowered, as an ongoing
25 appropriation:
 - 26 • from the Underage Drinking Prevention Media and Education Campaign
27 Restricted Account, \$1,773,300

28 **Other Special Clauses:**

29 This bill takes effect on July 1, 2012.

30 Utah Code Sections Affected:

31 AMENDS:

32 63J-1-602.2, as last amended by Laws of Utah 2011, Chapters 189, 284, 303, and 400

33 63M-7-303, as last amended by Laws of Utah 2010, Chapter 39

34 ENACTS:

35 32B-2-306, Utah Code Annotated 1953



37 *Be it enacted by the Legislature of the state of Utah:*

38 Section 1. Section 32B-2-306 is enacted to read:

39 **32B-2-306. Underage drinking prevention media and education campaign.**

40 (1) As used in this section:

41 (a) "Advisory council" means the Utah Substance Abuse Advisory Council created in
42 Section 63M-7-301.

43 (b) "Restricted account" means the Underage Drinking Prevention Media and
44 Education Campaign Restricted Account created in this section.

45 (2) (a) There is created a restricted account within the General Fund known as the
46 "Underage Drinking Prevention Media and Education Campaign Restricted Account."

47 (b) The restricted account consists of:

48 (i) deposits made under Subsection (3); and

49 (ii) interest earned on the restricted account.

50 (3) The department shall deposit 0.6% of the total gross revenue from sales of liquor
51 with the state treasurer, as determined by the total gross revenue collected for the fiscal year
52 two years preceding the fiscal year for which the deposit is made, to be credited to the
53 restricted account and to be used by the department as provided in Subsection (5).

54 (4) The advisory council shall:

55 (a) provide ongoing oversight of a media and education campaign funded under this
56 section;

57 (b) create an underage drinking prevention workgroup consistent with guidelines

58 proposed by the advisory council related to the membership and duties of the underage
59 drinking prevention workgroup;

60 (c) create guidelines for how money appropriated for a media and education campaign
61 can be used;

62 (d) include in the guidelines established pursuant to this Subsection (4) that a media
63 and education campaign funded under this section is carefully researched and developed, and
64 appropriate for target groups; and

65 (e) approve plans submitted by the department in accordance with Subsection (5).

66 (5) (a) Subject to appropriation from the Legislature, the department shall expend
67 money from the restricted account to direct and fund one or more media and education
68 campaigns designed to reduce underage drinking in cooperation with the advisory council.

69 (b) The department shall:

70 (i) in cooperation with the underage drinking prevention workgroup created under
71 Subsection (4), prepare and submit a plan to the advisory council detailing the intended use of
72 the money appropriated under this section;

73 (ii) upon approval of the plan by the advisory council, conduct the media and education
74 campaign in accordance with the guidelines made by the advisory council; and

75 (iii) submit to the advisory council annually by no later than October 1, a written report
76 detailing the use of the money for the media and education campaigns conducted under this
77 Subsection (5) and the impact and results of the use of the money during the prior fiscal year
78 ending June 30.

79 Section 2. Section **63J-1-602.2** is amended to read:

80 **63J-1-602.2. List of nonlapsing funds and accounts -- Title 31 through Title 45.**

81 (1) Appropriations from the Technology Development Restricted Account created in
82 Section 31A-3-104.

83 (2) Appropriations from the Criminal Background Check Restricted Account created in
84 Section 31A-3-105.

85 (3) Appropriations from the Captive Insurance Restricted Account created in Section

86 31A-3-304, except to the extent that Section 31A-3-304 makes the money received under that
87 section free revenue.

88 (4) Appropriations from the Title Licensee Enforcement Restricted Account created in
89 Section 31A-23a-415.

90 (5) Appropriations from the Health Insurance Actuarial Review Restricted Account
91 created in Section 31A-30-115.

92 (6) Appropriations from the Insurance Fraud Investigation Restricted Account created
93 in Section 31A-31-108.

94 (7) Appropriations from the Underage Drinking Prevention Media and Education
95 Campaign Restricted Account created in Section 32B-2-306.

96 [~~7~~] (8) Funding for a new program or agency that is designated as nonlapsing under
97 Section 36-24-101.

98 [~~8~~] (9) Appropriations from the Oil and Gas Conservation Account created in Section
99 40-6-14.5.

100 [~~9~~] (10) Appropriations from the Electronic Payment Fee Restricted Account created
101 by Section 41-1a-121 to the Motor Vehicle Division.

102 [~~10~~] (11) Funds available to the Tax Commission under Section 41-1a-1201 for the
103 purchase and distribution of license plates and decals.

104 Section 3. Section **63M-7-303** is amended to read:

105 **63M-7-303. Duties of council.**

106 (1) The Utah Substance Abuse Advisory Council shall:

107 (a) provide leadership and generate unity for Utah's ongoing efforts to combat
108 substance abuse;

109 (b) recommend and coordinate the creation, dissemination, and implementation of a
110 statewide substance abuse policy;

111 (c) facilitate planning for a balanced continuum of substance abuse prevention,
112 treatment, and justice services;

113 (d) promote collaboration and mutually beneficial public and private partnerships;

114 (e) coordinate recommendations made by any committee created under Section
115 63M-7-302;

116 (f) analyze and provide an objective assessment of all proposed legislation concerning
117 alcohol and other drug issues; ~~and~~

118 (g) coordinate the implementation of Section 77-18-1.1 and related provisions in
119 Subsections 77-18-1(5)(d) and (e), as provided in Section 63M-7-305[-]; and

120 (h) comply with Section 32B-2-306.

121 (2) The council shall meet quarterly or more frequently as determined necessary by the
122 chair.

123 (3) The council shall report its recommendations annually to the commission,
124 governor, the Legislature, and the Judicial Council.

125 **Section 4. Appropriation.**

126 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
127 following sums of money are appropriated from resources not otherwise appropriated, or
128 reduced from amounts previously appropriated, out of the funds or accounts indicated for the
129 fiscal year beginning July 1, 2012 and ending July 30, 2013. These are additions to any
130 amounts previously appropriated for fiscal year 2013.

131 Item 1: To Department of Alcoholic Beverage Control - Parents Empowered

132 From Liquor Control Fund (\$1,473,700)

133 Schedule of Programs

134 Parents Empowered (\$1,473,700)

135 Item 2: To Department of Alcoholic Beverage Control - Parents Empowered

136 From Underage Drinking Prevention Media and Education Campaign

137 Restricted Account \$1,773,300

138 Schedule of Programs

139 Parents Empowered \$1,773,300

140 **Section 5. Effective date.**

141 This bill takes effect on July 1, 2012.

