1	APPROPRIATION FOR DRUG COURTS AND
2	DRUG BOARD PILOT PROJECT
3	2000 GENERAL SESSION
4	STATE OF UTAH
5	Sponsor: John E. Swallow
6	AN ACT RELATING TO APPROPRIATIONS; APPROPRIATING \$4,140,000 FOR DRUG
7	COURT PROGRAMS; APPROPRIATING \$860,000 FOR A DRUG BOARD PILOT PROJECT;
8	DEFINING A DRUG COURT AND DRUG BOARD; PROVIDING DRUG COURT AND
9	DRUG BOARD PARTICIPANT SCREENING CRITERIA; PROVIDING REPORTING
10	REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.
11	This act enacts uncodified material.
12	Be it enacted by the Legislature of the state of Utah:
13	Section 1. Creation and expansion of existing drug court programs in each judicial
14	district Appropriation for drug court programs in each judicial district Definition of
15	drug court program Criteria for participation in drug court programs Reporting
16	requirements.
17	(1) There is created a drug court program in each judicial district that demonstrates:
18	(a) the need for a drug court program; and
19	(b) the existence of a collaborative strategy between the court, prosecutors, defense
20	counsel, corrections, and substance abuse treatment services to reduce substance abuse by
21	offenders.
22	(2) The collaborative strategy in each drug court program shall:
23	(a) include monitoring and evaluation components to measure program effectiveness; and
24	(b) be submitted to, for the purpose of coordinating the disbursement of funding, the:
25	(i) executive director of the Department of Human Services;
26	(ii) executive director of the Department of Corrections; and
27	(iii) State Court Administrator.

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28	(3) There is appropriated from the General Fund for fiscal year 2000-01, \$4,140,000 to be
29	used to establish and operate drug court programs in eligible judicial districts as follows:
30	(a) \$3,351,800 to the Department of Human Services for substance abuse treatment, drug
31	testing, case management, and coordination of services appropriate to each drug court program;
32	(b) \$250,000 to the Department of Corrections for a pilot program to supervise
33	probationers in a drug court setting; and
34	(c) \$538,200 to the Administrative Office of the Courts for personnel required for the
35	operation of the drug court.
36	(4) A drug court program includes continuous judicial supervision using a cooperative
37	approach with prosecutors, defense counsel, corrections, and substance abuse treatment services
38	to promote public safety, protect participants' due process rights, and integrate substance abuse
39	treatment with justice system case processing.
40	(5) Screening criteria for participation in a drug court program include:
41	(a) a plea to, conviction of, or adjudication for a nonviolent drug offense or drug-related
42	offense;
43	(b) an agreement to frequent alcohol and other drug testing;
44	(c) participation in one or more substance abuse treatment programs; and
45	(d) an agreement to submit to sanctions for noncompliance with drug court program
46	requirements.
47	(6) The Administrative Office of the Courts shall submit a written report to the Law
48	Enforcement and Criminal Justice Interim Committee and the Judiciary Interim Committee during
49	the November 2000 and May 2001 meetings, and annually thereafter, that includes:
50	(a) the detailed progress of the establishment and implementation of drug court programs;
51	(b) the tracking and recording of each drug court participant's progress in each judicial
52	district to determine the effectiveness of the drug court programs; and
53	(c) an account of the expenditure of funds under this section.
54	(7) The money appropriated under Subsection (3) is nonlapsing.
55	Section 2. Creation of drug board pilot project Appropriation for drug board pilot
56	project Definition of drug board pilot project Criteria for parolee participation in the
57	drug board pilot project Reporting requirements.
58	(1) There is created a Drug Board Pilot Project in Davis and Weber counties that includes

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intensive substance abuse treatment, frequent drug testing, and other additional conditions of
parole, with the expectation that the offender will be required to complete the substance abuse
treatment, remain drug free, and meet all other conditions of parole.
(2) For fiscal year 2000-01 only, there is appropriated from the General Fund \$860,000
to be used to establish and operate a Drug Board Pilot Project in Davis and Weber counties as
follows:
(a) \$619,200 to the Department of Human Services;
(b) \$163,400 to the Department of Corrections; and
(c) \$77,400 to the Board of Pardons and Parole.
(3) Screening criteria for parolee participation in the Drug Board Pilot Project shall:
(a) be determined by the Board of Pardons and Parole and the Department of Corrections;
and
(b) include parolees who are facing an eminent return to prison due to substance abuse.
(4) The Board of Pardons and Parole shall submit a written report to the Law Enforcement
and Criminal Justice Interim Committee and the Judiciary Interim Committee during the
November 2000 and May 2001 meetings that includes:
(a) the detailed progress of the establishment and implementation of the Drug Board Pilot
Project in Davis and Weber counties;
(b) the tracking and recording of each drug board participant's progress to determine the
feasibility of taking the drug board program statewide; and
(c) an account of the expenditure of funds under this section.
(5) The money appropriated in Subsection (2) is nonlapsing.
Section 3. Effective date.
This act takes effect on July 1, 2000.

Legislative Review Note as of 2-9-00 1:16 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel