

Floor Amendment to HB 636-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to forfeiture of property; establishing a grant program for high schools
4 for heroin and opiate prevention education; and establishing a state grant
5 program to assist state and local law enforcement agencies in addressing the
6 opioid crisis and making an appropriation therefor.
7

8 Amend the bill by replacing all after section 9 with the following:

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10 10 New Subdivision; Substance Abuse Enforcement Program. Amend RSA 21-P by inserting
11 after section 65 the following new subdivision:

12 Substance Abuse Enforcement Program

13 21-P:66 Substance Abuse Enforcement Program.

14 I. The commissioner of safety shall establish a substance abuse enforcement program which
15 shall make grants available to county, local, and appropriate state law enforcement agencies to
16 increase visible police presence on streets and highways and in public spaces, promote the sharing
17 of information, and support enhanced drug investigative procedures, with particular emphasis on
18 interdicting and disrupting the flow of illicit drugs being transported into and through the state for
19 eventual sale and illegal use.

20 II. The commissioner shall establish protocols and conditions for increased state police
21 patrols and conditions for eligibility for grants to local, county, and state law enforcement agencies.
22 The protocols and conditions shall be based on the principles of intelligence-driven, problem-
23 oriented policing, using statistics and information to place additional police patrol and investigative
24 presence at the locations, times, and places where there have been a significant convergence of
25 motor vehicle crashes, crimes, and drug use, or in corridors known to be used by drug dealers for
26 shipments of illegal drugs into the state. The protocols and conditions shall:

27 (a) Require dedicated patrol units relieved of taking calls for service absent an
28 emergency.

29 (b) Insure that the officers assigned to such patrol units have been trained in the
30 concept of data-driven policing and have an appropriate knowledge of the requirements of the state
31 and federal constitutions.

32 (c) Include an emphasis on gaining the respect and approval of the public for the work
33 of the police.

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1 III. The program shall include periodic reporting to ensure that measurable results are
2 being obtained.

3 21-P:67 Substance Abuse Enforcement Fund.

4 I. There is hereby established the substance abuse enforcement fund. This fund shall be
5 used for the purposes of the substance abuse enforcement program to support coordinated law
6 enforcement activities, including but not limited to:

7 (a) New Hampshire state police personnel, equipment, and other costs when working in
8 conjunction with county and local law enforcement in localities experiencing a high volume of
9 substance abuse related activities;

10 (b) Department of safety personnel, equipment, and other costs to increase the capacity
11 and efficiency of the state crime laboratory in processing evidence in opioid-related cases; and

12 (c) Grants to county and local law enforcement for overtime personnel costs in localities
13 experiencing a high volume of substance abuse related activities.

14 II. The substance abuse enforcement fund shall be a nonlapsing fund administered by the
15 commissioner of the department of safety. The fund shall consist of an initial appropriation of
16 \$1,500,000, and the commissioner may also accept and expend gifts, grants, and donations from any
17 state or federal source for deposit into the fund. The fund shall be continually appropriated and
18 expended at the discretion of the commissioner of the department of safety, in furtherance of the
19 purposes of the fund. The commissioner shall create an accounting unit and expenditure classes for
20 the fund as the commissioner deems necessary and appropriate to effectuate the purposes of the
21 fund. Notwithstanding the provisions of RSA 9:16-a and the provisions of 2015, 276:198, the
22 commissioner is authorized to transfer funds within and among the expenditure classes in
23 furtherance of the purposes of the fund.

24 21-P:68 Rulemaking. The commissioner of safety shall adopt rules to implement this
25 subdivision. Notwithstanding any other provisions of law, such rules shall be exempt from the
26 provisions of RSA 541-A.

27 11 New Subparagraph; Administrative Procedures Act; Exceptions. Amend RSA 541-A:21, I by
28 inserting after subparagraph (hh) the following new subparagraph:

29 (ii) RSA 21-P:68, relative to the substance abuse enforcement fund.

30 12 New Subparagraph; Special Fund; Substance Abuse Enforcement Fund. Amend RSA 6:12,
31 l(b) by inserting after subparagraph (331) the following new subparagraph:

32 (332) Moneys deposited in the substance abuse enforcement fund established under
33 RSA 21-P:67.

34 13 Appropriation; Department of Safety. The sum of \$1,500,000 for the fiscal year ending June
35 30, 2017 is hereby appropriated to the department of safety, for the purpose of funding the
36 substance abuse enforcement program and fund. The governor is authorized to draw a warrant for
37 said sum out of any money in the treasury not otherwise appropriated.

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1 14 Effective Date.

2 I. Sections 1-6 of this act shall take effect January 1, 2017.

3 II. Section 9 of this act shall take effect July 1, 2017.

4 III. The remainder of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill:

I. Limits forfeiture to cases in which the state has found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime and requires the state to deposit proceeds from forfeited property in the general fund.

II. Establishes a one-year grant program for high schools for heroin and opiate prevention education.

III. Requires the commissioner of the department of safety to establish a state grant program within the division of state police to assist state and local law enforcement agencies in addressing the opioid crisis and makes an appropriation to fund the program.