

**SUBSTITUTE FOR
SENATE BILL NO. 994**

A bill to amend 1986 PA 268, entitled
"Legislative council act,"
(MCL 4.1101 to 4.1901) by amending the title, as amended by 2018 PA
638, and by adding chapter 8A.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE
2 An act to create the legislative council; to prescribe its
3 membership, powers, and duties; to create a legislative service
4 bureau to provide staff services to the legislature and the
5 council; to provide for operation of legislative parking
6 facilities; to create funds; to provide for the expenditure of
7 appropriated funds by legislative council agencies; to provide for
8 the designation and authentication of certain electronic legal

1 records as official; to authorize the sale of access to certain
2 computerized data bases; to establish fees; to create the Michigan
3 commission on uniform state laws; to create a law revision
4 commission; to create a senate fiscal agency and a house fiscal
5 agency; to create a commission on intergovernmental relations; **to**
6 **create the opioid advisory commission and prescribe its powers and**
7 **duties;** to prescribe the powers and duties of certain state
8 agencies and departments; to repeal certain acts and parts of acts;
9 and to repeal certain parts of this act on specific dates.

10 **CHAPTER 8A**

11 **OPIOID ADVISORY COMMISSION**

12 **Sec. 850. As used in this chapter:**

13 (a) "Michigan opioid healing and recovery fund" means the
14 Michigan opioid healing and recovery fund created in section 3 of
15 the Michigan trust fund act, 2000 PA 489, MCL 12.253.

16 (b) "Opioid advisory commission" means the opioid advisory
17 commission created in section 851.

18 **Sec. 851. (1) The opioid advisory commission is created in the**
19 **council.**

20 (2) The opioid advisory commission must consist of the
21 following members:

22 (a) Twelve voting members that have experience in substance
23 abuse prevention, health care, mental health, law enforcement,
24 local government, first responder work, or similar fields appointed
25 as follows:

26 (i) Four members appointed by the senate majority leader.

27 (ii) Four members appointed by the speaker of the house of
28 representatives.

29 (iii) One member appointed by the senate minority leader.

1 (iv) One member appointed by the minority leader of the house
2 of representatives.

3 (v) One member appointed by the senate majority leader and the
4 speaker of the house of representatives and selected from a list of
5 3 individuals provided by the governor.

6 (vi) One member appointed by the senate majority leader and the
7 speaker of the house of representatives and selected from a list of
8 3 individuals provided by the attorney general.

9 (b) The director of the department of health and human
10 services, or his or her designee, who shall serve as an ex officio
11 member without vote.

12 (c) The council administrator, or his or her designee, who
13 shall serve as an ex officio member without vote.

14 (3) In appointing members or providing a list from which
15 members will be selected under subsection (2)(a), the governor, the
16 senate majority leader, the speaker of the house of
17 representatives, the senate minority leader, the minority leader of
18 the house of representatives, and the attorney general shall ensure
19 that the members of the opioid advisory commission, to the extent
20 possible, reflect the geographic diversity of this state.

21 (4) All initial opioid advisory commission members must be
22 appointed within 60 days after the effective date of the amendatory
23 act that added this section.

24 (5) Of the first voting members appointed, 4 shall be
25 appointed to 1-year terms, 4 shall be appointed to 2-year terms,
26 and 4 shall be appointed to 3-year terms, as determined by the
27 senate majority leader and the speaker of the house of
28 representatives. After the first appointments, the term of a voting
29 member of the opioid advisory commission is 3 years or until a

1 successor is appointed under subsection (2), whichever is later.

2 (6) If a vacancy occurs on the opioid advisory commission, an
3 individual must be appointed in the same manner as the original
4 appointment to fill the vacancy for the balance of the term.

5 (7) The senate majority leader and the speaker of the house of
6 representatives may concur to remove a member of the opioid
7 advisory commission for incompetence, dereliction of duty,
8 malfeasance, misfeasance, or nonfeasance in office, or any other
9 good cause.

10 (8) The council administrator, or his or her designee, shall
11 call the first meeting of the opioid advisory commission. At the
12 first meeting, the opioid advisory commission shall elect a member
13 as a chairperson and, except as otherwise provided in this
14 subsection, may elect other officers that it considers necessary or
15 appropriate. The council administrator, or his or her designee,
16 shall serve as secretary. The opioid advisory commission shall meet
17 at least quarterly. The opioid advisory commission may meet more
18 frequently at the call of the chairperson or at the request of at
19 least 7 members.

20 (9) Seven voting members of the opioid advisory commission
21 constitute a quorum for transacting business. A majority vote of
22 the voting members appointed and serving is required for any action
23 of the opioid advisory commission.

24 (10) The opioid advisory commission shall conduct its business
25 in compliance with the open meetings act, 1976 PA 267, MCL 15.261
26 to 15.275.

27 (11) A writing that is prepared, owned, used, possessed, or
28 retained by the opioid advisory commission in performing an
29 official function is subject to the freedom of information act,

1 1976 PA 442, MCL 15.231 to 15.246.

2 (12) A member of the opioid advisory commission is not
3 entitled to compensation for service on the opioid advisory
4 commission, but the opioid advisory commission may reimburse a
5 member for actual and necessary expenses incurred in serving.

6 (13) The opioid advisory commission shall do all of the
7 following:

8 (a) Adopt policies and procedures for the administration of
9 the opioid advisory commission as allowed by law.

10 (b) Review local, state, and federal initiatives and
11 activities related to education, prevention, treatment, and
12 services for individuals and families affected by substance use
13 disorders and co-occurring mental health conditions, and establish
14 priorities to address substance use disorders and co-occurring
15 mental health conditions, for the purpose of recommending funding
16 initiatives to the legislature.

17 (c) By March 30 of each year, provide a written report to the
18 governor, the attorney general, the senate majority leader, the
19 speaker of the house of representatives, and the chairs of the
20 senate and house of representatives appropriations committees that
21 includes all of the following:

22 (i) A statewide evidence-based needs assessment that includes
23 at least all of the following:

24 (A) A summary of current local, state, and federal funding
25 used to address substance use disorders and co-occurring mental
26 health conditions.

27 (B) A discussion about how to prevent overdoses, address
28 disparities in access to health care, and prevent youth substance
29 use.

1 (C) An analysis, based on quantitative and qualitative data,
2 of the effects on this state of substance use disorders and co-
3 occurring mental health conditions.

4 (D) A description of the most common risk factors associated
5 with substance use disorders and co-occurring mental health
6 conditions.

7 (ii) Goals and recommendations, including the rationale behind
8 the goals and recommendations, sustainability plans, and
9 performance indicators relating to all of the following:

10 (A) Substance use disorder and co-occurring mental health
11 conditions prevention, treatment, recovery, and harm reduction
12 efforts.

13 (B) Reducing disparities in access to prevention, treatment,
14 recovery, and harm reduction programs, services, supports, and
15 resources.

16 (iii) An evidence-based assessment of the prior use of money
17 appropriated from the Michigan opioid healing and recovery fund,
18 including the extent to which such expenditures abated the opioid
19 crisis in this state.

20 (iv) Recommended funding for tasks, activities, projects, and
21 initiatives that would support the objectives of the commission.

22 (v) If applicable, recommended additional legislation needed
23 to accomplish the objectives of the commission.

24 Enacting section 1. This amendatory act does not take effect
25 unless Senate Bill No. 993 of the 101st Legislature is enacted into
26 law.