

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 1, 2022

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB22-120 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend the Finance Committee Report, dated March 16, 2022, page 2,
2 line 21, strike "44-15-108" and substitute "44-15-110".

3 Page 3 of the report, line 27, strike "OF REVENUE".

4 Page 3 of the report, line 33, strike "OF REVENUE".

5 Amend printed bill, page 4, after line 18 insert:

6 "(4) THE EXECUTIVE DIRECTOR SHALL TRANSMIT ALL FEES
7 COLLECTED UNDER THIS SECTION TO THE STATE TREASURER, WHO SHALL
8 CREDIT THEM TO THE KRATOM CONSUMER PROTECTION CASH FUND,
9 CREATED IN SECTION 44-15-111."

10 Page 7 of the bill, after line 1 insert:

11 "**44-15-111. Kratom consumer protection cash fund.** (1) THE
12 KRATOM CONSUMER PROTECTION CASH FUND, REFERRED TO IN THIS
13 SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY.
14 THE FUND CONSISTS OF:

15 (a) MONEY CREDITED TO THE FUND PURSUANT TO SECTION
16 44-15-103 (4); AND

17 (b) MONEY APPROPRIATED TO OR TRANSFERRED TO THE FUND BY
18 THE GENERAL ASSEMBLY.

19 (2) THE MONEY IN THE FUND SHALL NOT BE DEPOSITED IN OR
20 TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND. THE STATE
21 TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE
22 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. ANY

1 UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND SHALL REMAIN
2 IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE
3 GENERAL FUND OR ANY OTHER FUND.

4 (3) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
5 DEPARTMENT FOR COSTS RELATED TO ADMINISTERING AND ENFORCING
6 THIS ARTICLE 15."

7 Page 7, before line 2 insert:

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9 "SECTION 2. Appropriation. (1) For the 2022-23 state fiscal
10 year, \$241,341 is appropriated to the department of revenue. This
11 appropriation is from the general fund. To implement this act, the
12 department may use this appropriation as follows:

13 (a) \$152,628 for kratom enforcement, which amount is based on
14 an assumption that the department will require an additional 2.0 FTE; and

15 (b) \$88,713 for the purchase of legal services.

16 (2) For the 2022-23 state fiscal year, \$88,713 is appropriated to
17 the department of law. This appropriation is from reappropriated funds
18 received from the department of revenue under subsection (1)(b) of this
19 section and is based on an assumption that the department of law will
20 require an additional 0.5 FTE. To implement this act, the department of
21 law may use this appropriation to provide legal services for the
22 department of revenue."

23 Renumber succeeding section accordingly.

24 Page 1, line 101, strike "PROCESSORS." and substitute "PROCESSORS,
25 AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

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