

NOTICE OF ELECTION – BALLOT MEASURES

NOTICE OF BALLOT MEASURES TO BE DECIDED UPON. NOTICE OF TIME WITHIN WHICH ARGUMENTS AND REBUTTAL ARGUMENTS FOR OR AGAINST MEASURES MAY BE FILED WITH THE REGISTRAR OF VOTERS. NOTICE OF CENTRAL COUNTING LOCATION.

NOTICE IS HEREBY GIVEN BY OFFICE OF THE REGISTRAR OF VOTERS FOR SAN JOAQUIN COUNTY IN ACCORDANCE WITH THE PROVISIONS OF THE ELECTIONS LAWS OF THE STATE OF CALIFORNIA THAT ON TUESDAY, NOVEMBER 5, 2024, THERE WILL BE A PRESIDENTIAL GENERAL ELECTION.

NOTICE IS FURTHER GIVEN THAT AT THE PRESIDENTIAL GENERAL ELECTION THE FOLLOWING MEASURE SHALL BE PUT TO A VOTE FOR THE QUALIFIED VOTERS IN SAN JOAQUIN COUNTY.

SAN JOAQUIN COUNTY BOARD OF SUPERVISORS ILLEGAL SUBSTANCE DEPENDENCE SCREENING AND TREATMENT FOR RECIPIENTS OF COUNTY PUBLIC ASSISTANCE

FULL TEXT OF MEASURE R

INTRODUCTION

Shall the ordinance requiring single adults age 65 and under, with no dependent children, who receive County funded public assistance benefits and whom the County reasonably suspects are dependent on illegal drugs, to participate in screening, evaluation, and treatment for drug dependency in order for those adults to be eligible for those benefits be adopted?

FULL TEXT OF MEASURE

SAN JOAQUIN COUNTY CODE OF ORDINANCES, TITLE 5 is hereby amended to add Division 12, Chapter 1 as follows: TITLE 5 – HEALTH AND SANITATION, DIVISION 12 – GENERAL ASSISTANCE, 1 – ELIGIBILITY REQUIREMENTS FOR GENERAL ASSISTANCE

SEC. 5-1200. FINDINGS AND PURPOSE

(a) New, synthetic opioids like Fentanyl have hit San Joaquin County – like counties across this country – hard. The current drug epidemic is unlike anything the County has seen before.

(b) This ordinance is intended to help address the overdose epidemic by requiring individuals who receive assistance through the General Assistance program, and who have been professionally evaluated and determined to need treatment, to participate in drug abuse treatment programs. These treatment programs include numerous interventions ranging from residential treatment, medical detox, and Medication Assisted Treatment to outpatient options. There is no one answer. Although reasonable participation in treatment programs will be required, sobriety of participants will not be. What matters is that people get into treatment and try to improve their lives. Perfection isn't the goal; improved health and life outcomes is.

(c) State law requires all counties in California to fund and administer programs that provide aid and support to indigent single adults. In San Joaquin County, this state requirement is met through the General Assistance program, which is administered by the County's Human Services Agency. In revising the General Assistance program eligibility and program requirements, this ordinance does

not impact the benefit eligibility of individuals other than single adults. Benefit eligibility for seniors and families is unchanged.

(d) The goals of the General Assistance program are to provide short-term financial and other services to County residents who are unable to support themselves; enable and encourage participants to find employment, if employable; and reduce or eliminate the conditions that have led to indigency and dependency. General Assistance program participants receive benefit packages that are intended to pay for or provide in-kind access to housing/shelter, utilities, food, and other costs. As of 2024, General Assistance recipients receive a maximum of \$75 per month paid directly to recipients as a cash benefit (issued on an EBT card). The maximum benefit amount is \$367 when a recipient is in a Single Room Occupancy (SRO) living situation, with \$340 paid directly to landlord.

(e) State law expressly authorizes counties to require adult recipients of general assistance benefits to undergo screening for substance abuse when it is determined by the County that there is reasonable suspicion to believe that an individual is dependent upon illegal drugs. State law further authorizes counties to require as a condition of aid reasonable participation in substance abuse treatment programs for persons who are professionally evaluated to need treatment, if the services are actually available at no charge to the applicant or recipient.

(f) In amending the eligibility and program requirements to include substance abuse screening and treatment for individuals with an identified drug use dependency, it is the primary goal of the County to help individuals address their substance use and to live healthier and more productive lives. By conditioning the receipt of cash assistance on compliance with drug screening and treatment requirements, this ordinance will create an incentive for General Assistance recipients who have a substance use disorder to engage in treatment and achieve self-sufficiency.

SEC. 5-1201. SUBSTANCE ABUSE SCREENING, EVALUATION, AND TREATMENT.

(a) Screening. The Human Services Agency shall require all adult Recipients of aid under the General Assistance Program to undergo screening for substance abuse when it is determined by the Human Services Agency that there is reasonable suspicion to believe that an individual is dependent upon illegal drugs. The Human Services Agency shall document all findings of reasonable suspicion.

(b) Professional Evaluation. Where the screening process set forth in subsection

(a) indicates that there is reason to believe that a Recipient is abusing or dependent on illegal drugs, such Recipient shall undergo a professional evaluation for substance abuse. The professional evaluation may be performed by the Human Services Agency or by another County department or entity funded by the County to perform this function.

(c) Treatment. A recipient who is professionally evaluated and determined to need treatment for substance abuse shall be referred to a treatment program determined to meet his or her rehabilitation needs and shall be required, in order to continue to receive General Assistance, to participate in the treatment program upon referral, provided the program services are actually available at the time of referral and are at no charge to the individual.

(d) Violations. It shall be a violation of this section for a Recipient to fail to comply with the screening, evaluation, and/or treatment requirements set forth in subsections (a), (b), and (c) without good cause. Subject to any exceptions established under Section 5-1202, recipients' aid will be cut off for violation of this section, but they shall continue to receive assistance for 30 days from the

effective date of the notice of discontinuance. The Department may extend an individual's eligibility for housing assistance beyond 30 days provided the Department finds that such extension is necessary to prevent eviction.

(e) Rules and Regulations. The Director of the Human Services Agency may establish rules and regulations to administer and enforce this section, including, but not limited to, rules and regulations to:

(1) establish categorical exemptions from screening, evaluation, and treatment requirements relating to illegal drug use where necessary or appropriate to prioritize the allocation of scarce treatment resources and/or ensure that Recipients are not required to participate in multiple activities at the same time; and

(2) establish standards governing determinations relating to a Recipient's need for an extension of housing assistance beyond 30 days to prevent eviction.

SEC. 5-1202. GENERAL ASSISTANCE TREATMENT FUND.

(a) Establishment and Use of Fund. The General Assistance Treatment Fund is established to support the costs of the substance abuse screening, evaluation, and treatment program set forth in Section 5-1201. Savings that result from recipient noncompliance with the requirements of Section 5-1201 shall be allocated to the General Assistance Treatment Fund.

(b) Administration of Fund. The method for administering the fund and for making deposits thereto and expenditures therefrom shall be approved by the Director of the Human Services Agency or the Director's designee.

SEC. 5-1203 INCORPORATION OF ORDINANCE INTO MANUAL

The Human Service Agency shall amend its General Assistance Regulation Manual to reflect the content of this chapter, which shall control over any provisions in the General Assistance Regulation Manual that are in conflict.

SEC. 5-1204 AMENDMENT

This chapter may not be amended or repealed except by the voters or by a 4/5ths or greater vote of the Board of Supervisors.

Section 2. Undertaking for the General Welfare.

In enacting and implementing this ordinance, the County is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

Section 3. Severability.

If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, such invalidity shall not affect any provision or application of this ordinance that can be given

effect without the invalid provision or application. To this end, the provisions of this ordinance are severable.

Section 4. Effective and Operative Dates.

(a) The effective date of this ordinance shall be thirty days after the date the official vote count is declared by the Board of Supervisors.

(b) This ordinance shall become operative on January 2, 2025.

ARGUMENTS AND REBUTTALS TIMELINE

Thursday, August 15, 2024 at 5:00 p.m. is hereby fixed as the final date and time for the filing of arguments. Arguments for or against the measures listed are not to exceed 300 words in length. The 10-calendar day required public viewing period will be from Friday, August 16, through Sunday, August 25, 2024.

Friday, August 16, 2024 at 5:00 p.m. is hereby fixed as the final date and time for the filing of rebuttal arguments. Rebuttal arguments are not to exceed 250 words in length. The 10-calendar day required public viewing period will be from Saturday, August 17, through Monday, August 26, 2024.

NOTICE IS FURTHER GIVEN that California Elections Code Section 9600 governs the form of said arguments and/or rebuttals. Arguments and/or rebuttals submitted to the San Joaquin County Registrar of Voters' Office must follow E.C. 9600. Authors of said arguments/rebuttals may call the Registrar of Voters' Office at (209) 468-8945 for more information on submitting an argument for or against a measure. To be eligible for printing and distribution as provided by law, such arguments and rebuttals must be received and filed at the Registrar of Voters' Office, 44 N. San Joaquin St, Suite 350, Stockton, CA 95202, no later than said date and time. All arguments and rebuttals must be submitted in block format. Limited use of bolding, underlining, capitalizing, italics or bullets (small solid circle only) is permitted. Arguments and rebuttals that are not in compliance will be reformatted and set in uniform type.

NOTICE IS FURTHER GIVEN that Vote by Mail processing may begin on the 29th day before the election, which is Monday, October 7, 2024. All ballots cast in the November 5, 2024, General Election shall be tallied at the central counting place, the San Joaquin County Registrar of Voters' warehouse at 7585 Longe Street, Suite 112, Stockton, California. Initial results will be available at 8:15 p.m. on election night and continue until the count is completed. Persons interested in viewing these procedures should contact the Registrar of Voters' Office at (209) 468-8945 for further information. (EC §§ 12109, 15101, 15104)

Office of the Registrar of Voters
San Joaquin County