



ARIZONA JUDGE HALTS OPIOID SETTLEMENT FUND USE IN BUDGET - THE CENTER SQUARE

Posted on June 22, 2024 by Cameron Arcand | The Center Square



An Arizona judge has blocked opioid settlement funds in the state budget from being allocated toward the state corrections department listed for substance abuse treatment.

The judge in Maricopa County gave Attorney General Kris Mayes a temporary restraining order so she would not have to transfer the funds on Thursday, [12 News](#) reported.

The attorney general's office emailed The Center Square Friday, expressing gratitude to the judge for issuing the temporary injunction.

The decision by the Governor and the Legislature to sweep opioid settlement funds to backfill budget deficits is illegal," Mayes said. "In their rush to end the session, GOP leaders and the Governor ignored other viable options to balance the budget, such as utilizing the rainy-day fund, which has now reached approximately \$1.4 billion."

She added that residents should be curious about why the opioid funds were not protected and used to support our communities and prevent opioid use as intended.

This is outrageous," she said. "This decision violates the settlement agreements, and I am determined to stop it. That's why I made the difficult decision to sue over this issue. This is too important, with too many lives at risk, to get wrong."

Seventy-five million dollars in the budget is labeled for treatment in the correction system, but Mayes has argued that it goes beyond the conditions for funds and did end up taking legal action after she threatened to do so.

Gov. Katie Hobbs took issue with the Mayes' actions, as her office negotiated the budget with Republican legislative leadership. Both Hobbs and Mayes are Democrats elected to their offices in 2022.

"The Attorney General is flatly wrong. Her characterization of these funds as 'backfilling' ADCRR would be more accurately described as funding vital opioid use disorder treatment for a population that is disproportionately impacted by the opioid epidemic. On her very own website, the Attorney General indicates the funds can be used for opioid treatment at ADCRR," Hobbs' Spokesman Christian Slater said in a statement after the order was issued.

"Additionally, her filing mischaracterizes how the money will be used. For example, the AG claims the money will be used for 'beans,

bullhorns, and buses,' despite the budget explicitly saying the funds may only be used to 'offset past and current department costs for care, treatment, programs and other expenditures for individuals with opioid use disorder.' These are all uses that are allowed under the One Arizona Distribution of Settlement Funds Agreement," he continued.

The budget signed by Gov. Katie Hobbs in Legislature with bipartisan support and opposition, with lawmakers ranging from Republican Sen. Ken Bennett to Democratic Rep. Analise Ortiz taking issue with the opioid settlement fund transfer. House Speaker Ben Toma was in support of how the funding would be used.

"The AG has an unfortunate habit of threatening legal action against other elected officials without doing her homework," Toma told [The Center Square](#). "She threatened to sue the Legislature last year over the budget and opioid funding, but that lawsuit never materialized. I encourage the AG to try engaging in a productive dialogue with the Legislature and the Governor to communicate her policy disagreements."