

and

Thornbrugh of the House

An Act relating to mental health; amending 43A O.S. 1991, Section 3-453, as amended by Section 1, Chapter 162, O.S.L. 1996 (43A O.S. Supp. 1998, Section 3-453), which relates to alcohol and drug substance abuse courses; modifying certain fees and class sizes; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 43A O.S. 1991, Section 3-453, as amended by Section 1, Chapter 162, O.S.L. 1996 (43A O.S. Supp. 1998, Section 3-453), is amended to read as follows:

Section 3-453. A. Alcohol and drug substance abuse courses shall be offered only by nonprofit educational institutions of higher learning, governmental or nonprofit organizations.

B. Enrollment fees for those attending the courses shall be set by the Department of Mental Health and Substance Abuse Services and shall be within a range of not less than Sixty-five Dollars (\$65.00) and not more than:

1. ~~Eighty-five Dollars (\$85.00)~~ One Hundred Twenty-five Dollars (\$125.00) for a first offense; and

2. ~~Two Hundred Fifty Dollars (\$250.00)~~ Three Hundred Seventy-five Dollars (\$375.00) for a second or subsequent offense.

C. Ten percent (10%) of each fee collected shall be remitted to the State Treasurer to be credited to the Department of Mental Health and Substance Abuse Services Revolving Fund in the State Treasury and shall be used to provide substance abuse services to the indigent. Five percent (5%) of each fee collected by the

Department shall be used for the administrative costs related to providing such services.

D. Enrollment in the course shall not be limited to persons ordered to enroll, attend and successfully complete the course.

E. All alcohol and drug substance abuse courses for drinking drivers shall be approved and certified by the Department of Mental Health and Substance Abuse Services.

F. The Department of Mental Health and Substance Abuse Services, in consultation with D.U.I. School Administrators of Oklahoma, is authorized to promulgate rules governing:

1. Minimum curriculum requirements for such courses;
2. Facilities, equipment and instructional materials for such courses;
3. Minimum qualifications for certification of course instructors;
4. Grounds for revocation of the authority to conduct such courses and for revocation of an instructor's certification;
5. Attendance requirements; and
6. Guidelines for certifying to the Department of Mental Health and Substance Abuse Services successful completion of such course.

G. The Department shall require that each course for a first offense shall be conducted in no less than two sessions on two (2) separate days. For a second or subsequent offense, the Department shall require that:

1. Each such course shall consist of at least twenty-four (24) hours;
2. Each such course shall consist of no more than two (2) hours of education on any given day, nor more than four (4) hours in a given week, and shall not contain more than ten percent (10%) films or education on any one specialized area;

3. Each instructor shall be a qualified practitioner with one (1) year of teaching experience, or a certified D.U.I. Instructor with five (5) years<sup>1</sup> of teaching experience; and

4. ~~No more than twelve students~~ Enrollment shall be allowed limited to twenty students in a given class.

H. Any institution or organization authorized under this act to conduct an alcohol and drug substance abuse course shall certify to the Department of Public Safety all persons who successfully complete such course.

I. Alcohol and drug substance abuse treatment programs shall be offered by facilities designated for that purpose by the Department of Mental Health and Substance Abuse Services. The facilities shall either be operated by the Department of Mental Health and Substance Abuse Services or shall be certified approved treatment facilities as provided for in the Oklahoma Alcohol and Drug Abuse Services Act.

J. Any person participating in a substance abuse treatment program shall be required to pay all or part of the actual cost incurred for treatment of the person, if the court determines that the person has the ability to pay for all or part of the cost of treatment. The court shall determine the amount of reimbursement the person shall pay.

SECTION 2. This act shall become effective November 1, 1999.

Passed the Senate the 3rd day of March, 1999.

---

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_ ,  
1999.

---

Speaker of the House of  
Representatives