

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

HOUSE BILL HB2441

By: Jones

AS INTRODUCED

An Act relating to children; authorizing the Office of Juvenile Affairs to award grants for drug testing; stating consequences for positive drug testing; authorizing rulemaking; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7302-2.6 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Office of Juvenile Affairs in consultation with the Department of Education and the Department of Mental Health and Substance Abuse Services shall be authorized to administer and award grants through a competitive process to any public school district that voluntarily submits a request and provides matching funds for drug testing students under the following conditions:

1. The drug testing shall be conducted on every child attending school within that district enrolled in seventh through twelfth grades;

2. The date and time of the drug testing would be unannounced and occur at least once during a school year;

3. Upon testing positive for the use of drugs, a student would be required to stay after school for seven and one-half (7½) hours per week for extended study time and drug education, and would be assessed to determine if the student was addicted to drugs and if so, referred immediately for treatment;

4. If, after a specified period of time, a student tested positive for drug usage upon a second drug test, the student would continue to stay after school seven and one-half (7½) hours per week and be barred from extracurricular activities, and would be assessed to determine if the student was addicted to drugs and if so, referred immediately for treatment;

5. After a specified period of time, the student would be subject to a third drug test. Upon testing positive a third time the student would be suspended from school and sent to a treatment program; and

6. After a specified period of time, the student would be subject to a fourth drug test, upon consent of the parent of the student, and if the fourth drug test had positive results for the presence of drugs, the results of that test would be admissible in a drug court or juvenile court, for the purpose of achieving an appropriate remedy.

B. The Office of Juvenile Affairs shall promulgate rules to implement this program.

SECTION 2. This act shall become effective July 1, 2000.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

47-2-8445            MCD            6/12/15