

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2847

By: Joyner

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5  
6 AS INTRODUCED

7 An Act relating to labor; amending 40 O.S. 2001,  
8 Section 2-406.1, as last amended by Section 1,  
9 Chapter 78, O.S.L. 2007 (40 O.S. Supp. 2009, Section  
10 2-406.1), which relates to the Employment Security  
11 Act of 1980; modifying basis for discharge for  
12 misconduct; and providing an effective date.

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

14 SECTION 1. AMENDATORY 40 O.S. 2001, Section 2-406.1, as  
15 last amended by Section 1, Chapter 78, O.S.L. 2007 (40 O.S. Supp.  
16 2009, Section 2-406.1), is amended to read as follows:

17 Section 2-406.1 A. An employee discharged on the basis of a  
18 refusal to undergo drug or alcohol testing or a confirmed positive  
19 drug or alcohol test ~~conducted in accordance with the provisions of~~  
20 ~~the Standards for Workplace Drug and Alcohol Testing Act~~ shall be  
21 considered to have been discharged for misconduct and shall be  
22 disqualified for benefits pursuant to the provisions of Section 2-  
23 406 of this title.

1 B. In any claim brought by the discharged employee for  
2 compensation, a copy of the drug or alcohol test shall be accepted  
3 as prima facie evidence of the administration and results of the  
4 drug or alcohol test.

5 SECTION 2. This act shall become effective November 1, 2010.

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7 52-2-8781 LRB 12/14/09

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