

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1317

By: Enns

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6 AS INTRODUCED

7 An Act relating to higher education; stating
8 legislative intent that certain higher education
9 institutions develop and adopt a drug and alcohol
10 education and prevention program for student-
11 athletes; requiring certain drug testing; requiring
an education component; requiring certain automatic
penalties; specifying penalties for certain
violations; providing for codification; and providing
an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 821.41 of Title 70, unless there
17 is created a duplication in numbering, reads as follows:

18 A. It is the intent of the Legislature that each institution of
19 higher education within The Oklahoma State System of Higher
20 Education shall develop and adopt a drug and alcohol education and
21 prevention program for student-athletes involved in any sport which
22 is overseen by the National Collegiate Athletic Association.

23 B. Each drug and alcohol education and prevention program
24 adopted by an institution shall include the following components:

1 1. Drug testing which shall be in addition to and independent
2 of the drug testing conducted by the National Collegiate Athletic
3 Association. The drug testing shall test for all classes of drugs
4 banned by the National Collegiate Athletic Association including but
5 not limited to anabolic agents, stimulants, alcohol and beta
6 blockers, masking agents, street drugs, peptide hormones and
7 analogues, antiestrogens and Beta-2 Agonists;

8 2. Educating student-athletes to prevent drug and alcohol
9 usage;

10 3. Automatic penalties for failing a drug test. The penalty
11 for the first positive test shall be the loss of eligibility to
12 compete in the sport for one (1) full year and loss of any
13 scholarship benefits awarded to the student by the institution for
14 one (1) full year. The penalty for the second positive test shall
15 be the permanent loss of eligibility to compete in the sport and the
16 permanent loss of any scholarship benefits awarded to the student by
17 the institution; and

18 4. Automatic penalties for being found in the illegal
19 possession of a controlled dangerous substance or alcohol or being
20 charged for the illegal sale, possession, transportation,
21 manufacture, offer for sale, or offer to manufacture a controlled
22 dangerous substance. The penalty for the first incident shall be
23 the loss of eligibility to compete in the sport for one (1) full
24 year and loss of any scholarship benefits awarded to the student by

1 the institution for one (1) full year. The penalty for the second
2 incident shall be the permanent loss of eligibility to compete in
3 the sport and the permanent loss of any scholarship benefits awarded
4 to the student by the institution.

5 SECTION 2. This act shall become effective November 1, 2013.

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