

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION



FLOOR AMENDMENT

No. _____



COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 609, Page 4, Line 20, as follows:

By inserting a new subsection E as follows:

"E. The Office of the State Treasurer shall screen the parent or legal guardian of the qualified student and the qualified student to determine if they are engaged in the illegal use of a controlled substance or substances. If the Office of the State Treasurer has made a determination that the parent or legal guardian of the qualified student or the qualified student is engaged in the illegal use of a controlled substance or substances, the application for an education empowerment scholarship savings card shall be denied. The Office of the State Treasurer shall promulgate rules to implement the provisions of this subsection consistent with the following:

a. the Office of the State Treasurer shall create a controlled substance screening instrument to be administered at the time of application. The process shall, at a minimum, include a Substance Abuse Subtle Screening Inventory (SASSI) or other similar screening methods. If necessary to establish a reasonable expectation of certainty, the Office of the State Treasurer shall be authorized to use further screening methods, which may include, but are not limited to, a clinical interview and an Addictions Severity Index (ASI). If the Office of the State Treasurer has reasonable cause to believe that the parent or legal guardian of the qualified student or the qualified student is engaged in the illegal use of a controlled substance or substances, the Office of the State Treasurer shall request administration of a chemical drug test, such as urinalysis. The cost of all such initial screenings shall be borne by the parent or legal guardian of the qualified student or the qualified student,

b. if at any time during the controlled substance screening process, the parent or legal guardian of the qualified student or the qualified student refuses to participate, that refusal shall lead to a denial of the application for an education empowerment scholarship savings card,

c. if the Office of the State Treasurer, as the result of a controlled substance screening process, has determined that the parent or legal guardian of the qualified student or the qualified student is engaged in the illegal use of a controlled substance or substances, the application for an education empowerment scholarship savings card shall be denied, subject to the following:

(1) if there has not already been a chemical drug test administered as part of the controlled substance screening process, the parent or legal guardian of the qualified student or the qualified student may

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submit proof of a negative chemical drug test from a state certified laboratory to challenge the Office of the State Treasurer's finding that the parent or legal guardian of the qualified student or the qualified student is engaged in the illegal use of a controlled substance or substances. Proof of the chemical drug test must be submitted to the Office of the State Treasurer no later than the tenth calendar day following denial. If denial is communicated by mail, the ten (10) day window begins on the day after the date of mailing of the denial notice to the last known address of the parent or legal guardian of the qualified student or the qualified student. The denial notice is considered to be mailed on the date that appears on the notice, unless otherwise indicated by the facts,

(2) if denied due to the provisions of this subparagraph, a parent or legal guardian of the qualified student and the qualified student shall not be approved until one (1) year has passed since the date of denial,

(a) if the parent or legal guardian of the qualified student or the qualified student is denied due to the provisions of this paragraph, the Office of the State Treasurer shall provide a list of substance abuse treatment programs to the denied parent or legal guardian of the qualified student or the qualified student,

(b) if the parent or legal guardian of the qualified student and the qualified student have successfully complied with a recommended substance abuse treatment program after the date of denial, the parent or legal guardian of the qualified student and the qualified student may be approved for an education empowerment scholarship savings card after six (6) months have passed since the date of denial, rather than the required one (1) year, and

(3) if a parent or legal guardian of the qualified student and the qualified student have been denied an education empowerment scholarship savings card two times due to the provisions of this subparagraph, the parent or legal guardian of the qualified student and the qualified student shall be ineligible for an education empowerment scholarship savings card for a period of three (3) years from the date of the second denial.

By re-lettering subsequent subsections

And by amending the title to conform.

Submitted by:

Senator Sparks

Sparks-EB-FA4-SB609

2/18/2016 5:00 PM

1 [insert attachment here]

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