

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2829

By: Gann

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8 COMMITTEE SUBSTITUTE

9 An Act relating to sunset; amending 59 O.S. 2011,
10 Section 1873, as amended by Section 1, Chapter 66,
11 O.S.L. 2014 (59 O.S. Supp. 2019, Section 1873), which
12 relates to the Oklahoma Board of Licensed Alcohol and
13 Drug Counselors; re-creating the Board; and modifying
14 termination date.

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

16 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1873, as
17 amended by Section 1, Chapter 66, O.S.L. 2014 (59 O.S. Supp. 2019,
18 Section 1873), is amended to read as follows:

19 Section 1873. A. There is hereby re-created, to continue until
20 July 1, ~~2020~~ 2021, in accordance with the provisions of the Oklahoma
21 Sunset Law, the Oklahoma Board of Licensed Alcohol and Drug
22 Counselors, consisting of seven (7) members, to be appointed by the
23 Governor, with the advice and consent of the Senate, as follows:

1 1. a. Six members who shall be alcohol and drug counselors
2 certified by an entity recognized to do professional
3 alcohol and drug counseling certification in this
4 state; provided, however, five of such members shall
5 subsequently secure licensure and one such member
6 shall subsequently secure certification, pursuant to
7 the provisions of the Licensed Alcohol and Drug
8 Counselors Act, no later than January 1, 2005.

9 b. Thereafter, five members shall be licensed alcohol and
10 drug counselors at the time of appointment, and one
11 member shall be certified as an alcohol and drug
12 counselor at the time of appointment.

13 c. Pursuant to the provisions of this paragraph, the
14 Governor shall appoint:

15 (1) four members from a list of names submitted by
16 the Oklahoma Drug and Alcohol Professional
17 Counselors Association,

18 (2) one member from a list of names submitted by the
19 Oklahoma Substance Abuse Services Alliance, and

20 (3) one member from a list of names submitted by the
21 Oklahoma Citizen Advocates for Recovery and
22 Treatment Association.

23 d. One member shall be appointed from and shall represent
24 the general public. Such member shall be a resident

1 of this state who has attained the age of majority and
2 shall not be, nor shall ever have been, a licensed or
3 certified alcohol and drug counselor, or the spouse of
4 a licensed or certified alcohol and drug counselor, or
5 a person who has ever had any material financial
6 interest in the provision of alcohol and drug
7 counseling services or has engaged in any activity
8 directly related to the practice of alcohol and drug
9 counseling.

10 2. The composition of the Board shall include five members who
11 hold a master's or higher degree and one member whose highest degree
12 held is a bachelor's degree.

13 3. The Governor shall appoint the members to the Board no later
14 than July 1, 2004.

15 B. Each member of the Board appointed as a licensed alcohol and
16 drug counselor shall:

17 1. Be certified or licensed to engage in the practice of
18 alcohol and drug counseling in this state and shall be in good
19 standing; and

20 2. Have at least three (3) years of experience in the practice
21 of alcohol and drug counseling in this state.

22 C. Two of the members initially appointed shall serve three-
23 year terms; two shall serve four-year terms and three shall serve
24

1 five-year terms, as designated by the Governor. Thereafter, the
2 terms of all members shall be five (5) years.

3 D. A vacancy on the Board shall be filled in the same manner as
4 the original appointment for the balance of the unexpired term.
5 Members may succeed themselves but shall serve no more than two
6 consecutive terms. Each member shall serve until a successor is
7 appointed and qualified.

8 E. Members of the Board may be removed from office for one or
9 more of the following reasons:

10 1. The refusal or inability for any reason to perform the
11 duties of a Board member in an efficient, responsible and
12 professional manner;

13 2. The misuse of office for pecuniary or material gain or for
14 personal advantage for self or another;

15 3. A violation of the laws or rules governing the practice of
16 alcohol and drug counseling; or

17 4. Conviction of a felony as verified by a certified copy of
18 the record of the court of conviction.

19 F. Members of the Board shall serve without compensation, but
20 shall be reimbursed for actual and necessary travel expenses as
21 provided in the State Travel Reimbursement Act.

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23 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, dated
24 02/06/2020 - DO PASS, As Amended.