

1 ENGROSSED SENATE
2 BILL NO. 63

By: Daniels of the Senate

3 and

4 Kendrix of the House

5
6 An Act relating to professions and occupations;
7 amending 59 O.S. 2021, Section 1873, which relates to
8 the Oklahoma Board of Licensed Alcohol and Drug
Counselors; extending sunset date; providing an
effective date; and declaring an emergency.

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

12 SECTION 1. AMENDATORY 59 O.S. 2021, Section 1873, is
13 amended to read as follows:

14 Section 1873. A. There is hereby re-created, to continue until
15 July 1, ~~2023~~ 2026, in accordance with the provisions of the Oklahoma
16 Sunset Law, the Oklahoma Board of Licensed Alcohol and Drug
17 Counselors, consisting of seven (7) members, to be appointed by the
18 Governor, with the advice and consent of the Senate, as follows:

- 19 1. a. Six members who shall be alcohol and drug counselors
20 certified by an entity recognized to do professional
21 alcohol and drug counseling certification in this
22 state; provided, however, five of such members shall
23 subsequently secure licensure and one such member
24 shall subsequently secure certification, pursuant to

1 the provisions of the Licensed Alcohol and Drug
2 Counselors Act, no later than January 1, 2005.

3 b. Thereafter, five members shall be licensed alcohol and
4 drug counselors at the time of appointment, and one
5 member shall be certified as an alcohol and drug
6 counselor at the time of appointment.

7 c. Pursuant to the provisions of this paragraph, the
8 Governor shall appoint:

9 (1) four members from a list of names submitted by
10 the Oklahoma Drug and Alcohol Professional
11 Counselors Association,

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

14 (3) one member from a list of names submitted by the
15 Oklahoma Citizen Advocates for Recovery and
16 Treatment Association.

17 d. One member shall be appointed from and shall represent
18 the general public. Such member shall be a resident
19 of this state who has attained the age of majority and
20 shall not be, nor shall ever have been, a licensed or
21 certified alcohol and drug counselor, or the spouse of
22 a licensed or certified alcohol and drug counselor, or
23 a person who has ever had any material financial
24 interest in the provision of alcohol and drug

1 counseling services or has engaged in any activity
2 directly related to the practice of alcohol and drug
3 counseling.

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

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

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

11 1. Be certified or licensed to engage in the practice of
12 alcohol and drug counseling in this state and shall be in good
13 standing; and

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

16 C. Two of the members initially appointed shall serve three-
17 year terms; two shall serve four-year terms and three shall serve
18 five-year terms, as designated by the Governor. Thereafter, the
19 terms of all members shall be five (5) years.

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

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

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

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

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

10 4. Conviction of a felony as verified by a certified copy of
11 the record of the court of conviction.

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

15 SECTION 2. This act shall become effective July 1, 2023.

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

1 Passed the Senate the 7th day of March, 2023.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2023.

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8 _____
9 Presiding Officer of the House
10 of Representatives