

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 1012

By: Jett

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5
6 AS INTRODUCED

7 An Act relating to school employees; directing
8 certain school district board of education policy
9 regarding drug testing to include certain provision;
10 exempting certain dismissal of certain employee from
11 certain due process provisions; providing certain
12 exception; providing for codification; providing an
13 effective date; and declaring an emergency.

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 5-149.4 of Title 70, unless
17 there is created a duplication in numbering, reads as follows:

18 A. If a school district board of education has adopted a policy
19 for drug testing of school employees for controlled substances that
20 are included in Schedule I of the Uniform Controlled Dangerous
21 Substances Act, the policy shall include a provision requiring the
22 dismissal of an employee who tests positive on a single drug test.

23 B. The dismissal of an employee pursuant to this section shall
24 be exempt from the due process procedures provided by Section 6-
25 101.20 et. seq of Title 70 of the Oklahoma Statutes.

1 C. The provisions of subsection A of this section shall not
2 apply to a positive test for marijuana if the employee is a patient
3 licensed by the Oklahoma Medical Marijuana Authority.

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

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

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