

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1650

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 of school employees to include  
10 certain provision; exempting the dismissal of certain  
11 employee for certain reason from certain due process  
12 provisions; exempting an employee who is licensed by  
13 certain authority from certain provisions; providing  
14 for codification; providing an effective date; and  
15 declaring an emergency.

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

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 5-149.4 of Title 70, unless  
19 there is created a duplication in numbering, reads as follows:

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

1 B. The dismissal of an employee pursuant to this section shall  
2 be exempt from the due process procedures provided by Section 6-  
3 101.20 et. seq of Title 70 of the Oklahoma Statutes.

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

7 SECTION 2. This act shall become effective July 1, 2022.

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

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